

FEDERAL REGISTER

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Washington, Saturday, December 21, 1946

The President

EXECUTIVE ORDER 9812

INSPECTION OF INCOME, EXCESS-PROFITS, AND DECLARED VALUE EXCESS-PROFITS TAX RETURNS BY THE COMMITTEE ON NAVAL AFFAIRS, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by sections 55 (a), 508, 603, and 729 (a) of the Internal Revenue Code (53 Stat. 29, 111; 54 Stat. 989, 1008; 26 U. S. C. 55 (a), 508, 603, 729 (a)) it is hereby ordered that income, excess-profits, and declared value excess-profits tax returns for the years 1941, 1942, and 1943, shall be open to inspection by the Committee on Naval Affairs, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 154 (Seventy-ninth Congress, first session), passed March 19, 1945, such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the Treasury decision relating to the inspection of returns by that committee, approved by me this date.¹

This Executive order shall be effective upon its filing for publication in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 19, 1946.

[F. R. Doc. 46-21867; Filed, Dec. 19, 1946;
4:50 p. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

ADDITIONS TO LIST

1. In the justification for Education Specialist, P-4 through P-8, Office of Ed-

¹ See T. D. 5548, Title 26, Chapter I, Part 458, *infra*.

ucation, Federal Security Agency (11 F. R. 11765) the educational requirement is amended to read as follows:

EDUCATION SPECIALIST, P-4 THROUGH P-8

Educational requirements. Completion of a full four year course in a college or university of recognized standing which must have included, or have been supplemented by, major study in education or in the particular field in which the duties as a specialist are to be performed.

2. For the reasons set forth in the accompanying justifications the following positions are added to the list of positions in § 25.1 (a) for which formal educational requirements have been prescribed.

§ 25.1 Positions for which formal education requirements prescribed.
(a) * * *

INSTRUCTOR, METEOROLOGY P-2 THROUGH P-5

Educational requirement. All applicants must have successfully completed a resident course of study in Weather Forecasting Theory at a military school or college, or a curriculum of study which included or has been supplemented by at least 20 semester-hours of study consisting of laboratory work in synoptic meteorology and forecasting, and fundamental courses in synoptic and dynamic meteorology at a college or university of recognized standing.

Duties. With varying degrees of responsibility commensurate with the grades indicated, to instruct military personnel in one or more of the following subjects: Surface Charts and Weather Forecasting, Auxiliary Charts and Diagrams, Air Mass Analysis, Synoptic Meteorology, Dynamic Meteorology, Limited Data Analysis, World Geography and Climatology, Extended and Long Range Forecasting, Weather Station Operation, Staff Weather Subjects, Oceanography, Applied Micro-Meteorology, Tropical Meteorology, Anomalous Radar Propagation, In-Flight Weather Observation, and other related subjects, in accordance with a definite instructional program, or prescribed course of study; to prepare or assist in preparing material for instruction; and to perform related duties as assigned.

Knowledge and training requisite for performance of duties. The advances in the field of meteorology have been largely the result of the application of the laws and concepts of the physical sciences to the solution of the problems of meteorology. A knowledge of the pertinent physical sciences is indispensable in interpreting observational data, in designing and improving the instruments used in making scientific observations,

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and in extending old or developing new concepts and theories used in forecasting weather. Further advances in meteorology must depend on the number of highly qualified and properly trained meteorologists who are competent to explore the field and make further applications of the new developments in the physical sciences to the science of meteorology. Instructors, therefore, must be fully qualified to teach such technical subjects to those who will be engaged in gathering and interpreting meteorological data.

In order to perform successfully these Instructor duties the applicant must have a knowledge and training in weather forecasting at the full professional level. This knowledge and training can be obtained in either of the following ways: (a) Through four years of experience in meteorology at either a professional or subprofessional level supplemented by the successful completion of a resident course in Weather Forecasting Theory, or (b) Through the successful completion of a four year college course with a major in the physical sciences such as physics, meteorology, mathematics, chemistry, or engineering, including or supplemented by the successful completion of a course of training in Weather Forecasting Theory.

It is not believed that a knowledge of weather forecasting at the full professional level can be acquired without at least some formal training at the professional level. In order to complete a course in Weather Forecasting Theory a knowledge of physics and mathematics is necessary. The necessary background to weather forecasting cannot be obtained without at least some formal educational training in these subjects.

Method of obtaining basic knowledge and training. The above are statements of the minimum knowledge and training required to carry on successfully professional work in the field of meteorology. The only method by which such professional knowledge and training may be acquired is by attending a college or military school or university where competent instruction and guidance are available, where courses are arranged in a systematic progressive schedule and where adequate laboratory facilities and libraries are provided, and where objective evaluations are made of a person's progress in acquiring professional and scientific information.

HUMAN BIOLOGIST, P-7

Educational requirement. Applicants must show the successful completion of a full college course in a college or university of recognized standing with courses totaling at least 20 semester hours credit in either (a) physiology or, (b) a combination of biophysics, biochemistry and physiology which includes at least 10 semester hours credit in physiology.

Duties. The human biologist plans, directs and coordinates research programs in environmental biology to determine the kind and degree of man's physiological responses to all variations of environmental stresses to which he may be subjected upon a world wide scale, as these responses are related to his protection against or adaptation to such stresses. Directs the activities of scientists, working principally in research in biophysics, biochemistry, physiology and anthropology to determine man's physiological responses to varying kinds and degrees of environment and how these are modified by such factors as occupation, racial background, anthropological type, age, preconditioning to extreme environmental changes, mental attitudes, etc., to determine the capacities and limitations of the human body in coping with adverse environments, the causes and effects of the environment upon man and possible compensations. Coordinates research programs under his direction with those being conducted elsewhere within the organization to determine the clothing, clothing assemblies, and other specialized types of equipment which will provide maximum protection against and resistance to destructive environmental forces and to analyze and evaluate the elements of environment and develop formulae for their correlation with the physical and human biological problems being studied.

Knowledge and training requisite for performance of duties. The duties of this position call for research in environmental effects on a much greater scale than has been done previously. The incumbent of the position must have a broad, extensive background in physiology or in a combination of physiology, biology, biochemistry and biophysics. The training must have been such as to demonstrate ability to develop and direct research programs of sound, practical scope.

Method of obtaining basic knowledge and training. The above are statements of the minimum knowledge and training required to carry on successfully the duties of the position. The only method by which such knowledge and training may be acquired is by attending a college or university where competent instruction and guidance is available, where courses are arranged in a system-

atic progressive schedule and where adequate laboratory facilities and libraries are provided and where objective evaluations are made of a person's progress in acquiring professional and scientific information.

(Sec. 5, 58 Stat. 388; 5 U. S. C. Supp. 854)

The United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,
President.

[F. R. Doc. 46-21810; Filed, Dec. 20, 1946; 8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[F. C. A. Order 440]

PART 90—ORGANIZATION, FUNCTIONS, AND PROCEDURES OF REGIONAL AGRICULTURAL CREDIT CORPORATION OF WASHINGTON, D. C.

LOCATION OF WENATCHEE BRANCH OFFICE

Pursuant to section 201 (e) of the Emergency Relief and Construction Act of 1932 (47 Stat. 713, 12 U. S. C. 1148), Executive Order No. 6084, dated March 27, 1933 (6 CFR 1.1 (m)), and sections 32 and 33 of the Farm Credit Act of 1937 (50 Stat. 716, 717, 12 U. S. C. 1148b and 1148c); *It is hereby ordered*, That effective January 1, 1947, the office of the Wenatchee Branch of the Regional Agricultural Credit Corporation of Washington, D. C., shall be located in Spokane, Washington.

In conformity with the Administrative Procedure Act (Pub. Law 404, 79th Cong.), § 90.1 (c) (11 F. R. 177A-250) of Title 6, of the Code of Federal Regulations is hereby amended, effective January 1, 1947, to read as follows:

§ 90.1 Organization * * *

(c) *Wenatchee Branch Office.* The Corporation has a branch office known as the Wenatchee Branch which makes loans to fruit growers in Chelan, Okanogan, Douglas, and Grant Counties in the State of Washington. The office of the Wenatchee Branch is located in Spokane, Washington. The Wenatchee Branch is managed by a manager under the general direction of a branch committee.

(Sec. 201 (e), 47 Stat. 713, secs. 32, 33, 50 Stat. 716, 717; 12 U. S. C. 1148, 1148b, 1148c; E. O. 6084, March 27, 1933, 6 CFR 1.1 (m))

[SEAL]

I. W. DUGGAN,
Governor.

DECEMBER 18, 1946.

[F. R. Doc. 46-21783; Filed, Dec. 20, 1946; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

PART 323—TERMINAL INSPECTION

PLANTS AND PLANT PRODUCTS IN CALIFORNIA

§ 323.1 *Plants and plant products in California.* (a) Effective July 11, 1946,

the Director of Agriculture of California promulgated an order quarantining the southern portion of San Diego County, California, against the grape leaf skeletonizer (*Harrisina brillians*), and forbidding the movement from the quarantined area of fresh fruits of grape, and grapevines and parts thereof, unless each shipment or lot is accompanied by a prescribed certificate issued by the County Agricultural Commissioner of San Diego County.

(b) Conforming with the provisions of the act of March 4, 1915, as amended (7 U. S. C. 166), the State of California has established facilities for the terminal inspection of plants and plant products at various places in the State of California and the Director of Agriculture of the said State has submitted to the Secretary of Agriculture of the United States the following list of plants and plant products and the plant pest transmitted thereby:

Plants and Plant Products and Plant Pest

| | |
|------------------------------|-------------------------|
| Grapevines and parts thereof | Grape leaf skeletonizer |
| Fresh fruits of grape | |

(c) Pursuant to the provisions of said act of March 4, 1915, I hereby approve the aforesaid list of plants, plant products, and plant pests in its entirety, and I have so notified the Postmaster General.

(d) The plants and plant products listed unquestionably are hosts of the grape leaf skeletonizer. Effective enforcement of the State quarantine by the State renders essential the prompt adoption of this section.

Accordingly, notice and public procedure thereon as provided for in section 4 (a) of the Administrative Procedure Act (act of Congress approved June 11, 1946, 60 Stat. 238) are impracticable and contrary to the public interest, and there is good cause for finding that compliance with the publication requirements of section 4 (c) of that act is unnecessary.

This notice shall become effective upon publication in the FEDERAL REGISTER.

(38 Stat. 1113, 49 Stat. 1461; 7 U. S. C. 166)

Done at Washington, D. C., this 17th day of December 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-21784; Filed, Dec. 20, 1946;
8:53 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Orange Reg. 157]

PART 966—ORANGES GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.303 *Orange Regulation 157—(a) Findings.* (1) Pursuant to the provisions of the order (7 CFR, Cum. Supp., 966.1

et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., p. s. t., December 22, 1946, and ending at 12:01 a. m., p. s. t., December 29, 1946, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate Districts Nos. 1, 2, and 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1, 540 carloads; (b) Prorate District No. 2, 15 carloads; and (c) Prorate District No. 3, 45 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 19th day of December 1946.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

(Orange Regulation Period No. 157)

[12:01 a. m. Dec. 22, 1946 to 12:01 a. m. Dec. 29, 1946]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

| Handler | Prorate base percent |
|---|----------------------|
| Total | 100.0000 |
| A. F. G. Lindsay | 1.8113 |
| A. F. G. Porterville | 2.0448 |
| Cooperative Citrus Association | .7007 |
| Dofflemeyer, W. T. | .5400 |
| Elderwood Citrus Association | 1.1985 |
| Exeter Citrus Association | 2.8282 |
| Exeter Orange Growers Association | .6155 |
| Exeter Orchards Association | 1.0299 |
| Hillside Packing Corp. | 1.5220 |
| Ivanhoe Mutual Orange Association | 1.1286 |
| Klink Citrus Association | 4.6256 |
| Lemon Cove Association | 1.4248 |
| Lindsay Citrus Growers Association | 2.6989 |
| Lindsay Coop. Citrus Association | 1.4265 |
| Lindsay District Orange Co. | 1.4288 |
| Lindsay Fruit Association | 1.9619 |
| Lindsay Orange Growers Association | .6917 |
| Naranja Packing House Co. | .9161 |
| Orange Cove Citrus Association | 3.2836 |
| Orange Packing Co. | .9988 |
| Orosi Foothill Citrus Association | 1.3128 |
| Paloma Citrus Fruit Association | 1.1058 |
| Pogue Packing House, J. E. | .6750 |
| Rocky Hill Citrus Association | 2.0288 |
| Sanger Citrus Association | 3.0548 |
| Sequoia Citrus Association | .8549 |
| Stark Packing Corp. | 2.4181 |
| Visalia Citrus Association | .6573 |
| Waddell & Son | 1.9111 |
| Butte County Citrus Association, Inc. | .7383 |
| James Mills Orchard Corp. | 1.1481 |
| Orland Orange Growers Association, Inc. | .5844 |
| Baird-Neece Corp. | 1.6358 |
| Beattie Association, Agnes M. | .6417 |
| Grand View Heights Citrus Association | 1.9708 |
| Magnolia Citrus Association | 2.2058 |
| Porterville Citrus Association | 1.3178 |
| Richgrove-Jasmine Citrus Association | 1.4005 |
| Sandlands Fruit Co. | .9698 |
| Strathmore Coop. Association | 1.6261 |
| Strathmore District Orange Association | 1.5621 |
| Strathmore Fruit Growers Association | 1.1231 |
| Strathmore Packing House Co. | 1.3835 |
| Sunflower Packing Corp. | 2.1915 |
| Sunland Packing House | 2.5340 |
| Terra Bella Citrus Association | 1.3253 |
| Tule River Citrus Association | 1.0398 |
| Jensen, M. N. | 2.2501 |
| Kroells Brothers, Ltd. | 1.4255 |
| Lindsay Mutual Groves | 1.8046 |
| Martin, J. D. | 1.0229 |
| Stivers Packing Co. | .7572 |
| Woodlake Packing House | 1.6803 |
| R. M. C. Porterville | 1.8491 |
| Abbate Company, The Chas. | .6666 |
| Anderson Packing Co., R. M. | .5512 |
| Baker Brothers | .1014 |
| California Citrus Growers, Inc., Ltd. | 1.7982 |
| Chess Company, Meyer W. | .2780 |
| Edison Groves Co. | .8504 |
| Edison Orange Growers Association | .5088 |
| Evans Brothers Packing Co. | 1.4521 |
| Furr, N. O. | .3374 |
| Ghlanda Ranch | .0223 |
| Harding & Leggett | 1.4016 |
| Lo Bue Bros. | .4432 |

PRORATE BASE SCHEDULE—Continued

Prorate District No. 1—Continued

| Handler | Prorate base percent |
|---------------------------------------|----------------------------|
| Marks, W. & M. | 0.4954 |
| Raymond Bros. | .1364 |
| Reimers, Don H. | .2348 |
| Rooke Packing Co., B. G. | 3.3576 |
| Snyder & Sons Co., W. A. | .8183 |
| Toy, Chin. | .0324 |
| Webb Packing Co., Inc. | .9032 |
| Western States Fruit & Produce Co. | .2386 |
| Wollenman Packing Co. | .7772 |
| Woodlake Heights Packing Corp. | .8708 |
| Zaninovich Bros., Inc. | .6682 |

Prorate District No. 2

| | |
|---|----------|
| Total | 100.0000 |
| A. F. G. Alta Loma | .3026 |
| A. F. G. Fullerton | .0492 |
| A. F. G. Orange | .0351 |
| A. F. G. Redlands | .3661 |
| A. F. G. Riverside | .8905 |
| Corona Plantation Co. | .9641 |
| Hazeltine Packing Co. | .0915 |
| Signal Fruit Association | .7616 |
| Azusca Citrus Association | .8542 |
| Azusca Orange Co., Inc. | .1172 |
| Damerel-Allison Co. | 1.0521 |
| Glendora Mutual Orange Associa- tion | .5486 |
| Irwindale Citrus Association | .4071 |
| Puente Mutual Citrus Association | .0557 |
| Valencia Heights Orchard Associa- tion | .2440 |
| Covina Citrus Association | 1.4995 |
| Covina Orange Growers Associa- tion | .6856 |
| Duarte-Monrovia Fruit Exchange | .4579 |
| Glendora Citrus Association | .7847 |
| Glendora Heights O. & L. Growers Association | .1835 |
| Gold Buckle Association | 3.0852 |
| La Verne Orange Association, The | 4.7277 |
| Anaheim Citrus Fruit Association | .0540 |
| Anaheim Valencia Orange Associa- tion | .0147 |
| Eadington Fruit Co., Inc. | .3008 |
| La Habra Co. Valencia Association | .1290 |
| Orange Co. Valencia Association | .0226 |
| Orangethorpe Citrus Association | .0210 |
| Placentia Coop Orange Association | .0452 |
| Yorba Linda Citrus Association, The | .0232 |
| Alta Loma Heights Citrus Associa- tion | .3690 |
| Citrus Fruit Growers | .9737 |
| Cucamonga Citrus Association | .5992 |
| Etiwanda Citrus Fruit Association | .2151 |
| Mountain View Fruit Association | .1391 |
| Old Baldy Citrus Association | .4043 |
| Rialto Heights Orange Growers | .4116 |
| Upland Citrus Association | 2.4901 |
| Upland Heights Orange Associa- tion | 1.1231 |
| Consolidated Orange Growers | .0270 |
| Garden Grove Citrus Association | .0185 |
| Goldenwest Citrus Association, The | .0790 |
| Olive Heights Citrus Association | .0394 |
| Santa Ana-Tustin Mutual Citrus Association | .0247 |
| Santiago Orange Growers Associa- tion | .1607 |
| Tustin Hills Citrus Association | .0289 |
| Villa Park Orchards Association, Inc., The | .0335 |
| Bradford Brothers, Inc. | .2187 |
| Placentia Mutual Orange Associa- tion | .1614 |
| Placentia Orange Growers Associa- tion | .2790 |
| Call Ranch | .7783 |
| Corona Citrus Association | .7009 |
| Jameson Company | .3876 |
| Orange Heights Orange Association | .8299 |
| Break & Son, Allen | .2866 |

PRORATE BASE SCHEDULE—Continued

Prorate District No. 2—Continued

| Handler | Prorate base percent |
|---|----------------------------|
| Bryn Mawr Fruit Growers Associa- tion | 1.1145 |
| Crafton Orange Growers Associa- tion | 1.4938 |
| E. Highlands Citrus Association | .4063 |
| Fontana Citrus Association | .4697 |
| Highland Fruit Growers Associa- tion | .6928 |
| Krinar Packing Co. | 1.6216 |
| Mission Citrus Association | .7112 |
| Redlands Coop. Fruit Association | 1.7552 |
| Redlands Heights Groves | .7890 |
| Redlands Orangedale Association | .8234 |
| Redlands Orange Growers Associa- tion | 1.1398 |
| Redlands Select Groves | .5949 |
| Rialto Citrus Association | .5831 |
| Rialto Orange Co. | .3186 |
| Southern Citrus Association | .9358 |
| United Citrus Growers | .7906 |
| Zilen Citrus Co. | .9930 |
| Arlington Heights Fruit Co. | .4475 |
| Brown Estate, L. V. W. | 1.7585 |
| Elephant Orchards | .0356 |
| Gavilan Citrus Association | 1.6265 |
| Hemet Mutual Groves | .2756 |
| Highgrove Fruit Association | .8074 |
| McDermott Fruit Co. | 1.6197 |
| Mentone Heights Association | .8539 |
| Monte Vista Citrus Association | 1.0786 |
| National Orange Co. | .8924 |
| Riverside Heights Orange Growers Association | 1.3131 |
| Sierra Vista Packing Association | .6950 |
| Victoria Ave. Citrus Association | 2.3487 |
| Claremont Citrus Association | 1.1155 |
| College Heights O. & L. Association | .9620 |
| El Camino Citrus Association | .6094 |
| Indian Hill Citrus Association | 1.4198 |
| Pomona Fruit Growers Association | 1.8932 |
| Walnut Fruit Growers Association | .4275 |
| West Ontario Citrus Association | 1.7412 |
| El Cajon Valley Citrus Association | .3705 |
| Escondido Orange Association | .4810 |
| San Dimas Orange Growers Asso- ciation | 1.0684 |
| Ball & Tweedy Association | .1230 |
| Canoga Citrus Association | .0520 |
| N. Whittier Heights Citrus Asso- ciation | .0994 |
| San Fernando Fruit Growers Asso- ciation | .2534 |
| San Fernando Heights Orange Association | .2739 |
| Sierra Madra Lamanda Citrus As- sociation | .1989 |
| Camarillo Citrus Association | .0084 |
| Fillmore Citrus Association | 1.0856 |
| Ojai Orange Association | .8665 |
| Piru Citrus Association | 1.0360 |
| Santa Paula Orange Association | .0980 |
| East Whittier Citrus Association | .0145 |
| El Ranchito Citrus Association | .0372 |
| Rivera Citrus Association | .0505 |
| Whittier Citrus Association | .1826 |
| Whittier Select Citrus Association | .0518 |
| Anaheim Coop. Orange Association | .0485 |
| Bryn Mawr Mutual Orange Asso- ciation | .4954 |
| Chula Vista Mutual Lemon Asso- ciation | .1268 |
| Escondido Coop. Citrus Association | .0874 |
| Euclid Avenue Orange Association | 1.9657 |
| Foothill Citrus Union, Inc. | .1027 |
| Fullerton Coop. Orange Association | .0464 |
| Garden Grove Orange Coop. | .0336 |
| Glendora Coop. Citrus Association | .0897 |
| Golden Orange Groves, Inc. | .4383 |
| Highland Mutual Groves, Inc. | .6069 |
| Index Mutual Association | .0035 |
| La Verne Coop. Citrus Association | 2.3357 |
| Olive Hillside Groves, Inc. | .0284 |
| Orange Coop. Citrus Association | .0533 |
| Redlands Foothill Groves | 2.0684 |
| Redlands Mutual Orange Associa- tion | 1.0582 |

PRORATE BASE SCHEDULE—Continued

Prorate District No. 2—Continued

| Handler | Prorate base percent |
|---|----------------------------|
| Riverside Citrus Association | 0.4368 |
| Ventura County O. & L. Association | .1829 |
| Whittier Mutual O. & L. Associa- tion | .0565 |
| Babijuce Corp. of California | .2293 |
| Banks Fruit Co. | .2587 |
| California Fruit Distributors | .1234 |
| Cherokee Citrus Co., Inc. | 1.5381 |
| Chess Co., Meyer W. | .2824 |
| El Modena Citrus, Inc. | .0858 |
| Evans Brothers Packing Co. | .7494 |
| Gold Banner Association | 1.8663 |
| Granada Packing House | .9361 |
| Hill, Fred A. | .6682 |
| Inland Fruit Dealers, Inc. | .2615 |
| Orange Belt Fruit Distributors | 2.0542 |
| Paramount Citrus Association | .1581 |
| Placentia Pioneer Valencia Growers Association | .0659 |
| Riverside Growers, Inc. | .7640 |
| San Antonio Orchards Association | 1.3090 |
| Snyder & Sons Co., W. A. | .7994 |
| Torn Ranch | .0419 |
| Verity & Sons Co. | .1030 |
| Wall, E. T. | 1.5016 |
| Western Fruit Growers, Inc., Red- lands | 2.8502 |
| Yorba Orange Growers Association | .0291 |

Prorate District No. 3

| | |
|--|----------|
| Total | 100.0000 |
| Allen-Young Citrus Packing Co. | 1.0585 |
| Consolidated Citrus Growers | 5.2108 |
| Leppia-Pratt Produce Distributors, Inc. | 5.5737 |
| McKellips Mutual Citrus Growers, Inc. | 14.2976 |
| McKellips Phoenix Citrus Co., C. H. | 2.4125 |
| Phoenix Citrus Packing Co. | 2.5526 |
| Arizona Citrus Growers | 24.2180 |
| Bumstead, Dale | .0000 |
| Desert Citrus Growers | 3.2384 |
| Mesa Citrus Growers | 17.4878 |
| Yuma Mesa Fruit Growers Asso- ciation | .0000 |
| Arizona Citrus Products | 2.6414 |
| Libbey Fruit Packing Co. | 6.4683 |
| Pioneer Fruit Co. | 5.2376 |
| Tempe Citrus Co. | 2.5334 |
| Arthur & Son, J. E. | .4983 |
| Champion Citrus Packing Co. | .0972 |
| Commercial Citrus Packing Co. | .7983 |
| Dhuyvetter Brothers | .1309 |
| Ishikawa, Paul | .1921 |
| Macchiaroli Fruit Co., James | .0000 |
| Morris Brothers Fruit Co. | .0000 |
| Orange Belt Fruit Distributors | .1470 |
| Potato House, The | .5932 |
| Sun Valley Packing Co. | 1.6402 |
| Valley Citrus Packing Co. | 2.9522 |

[F. R. Doc. 46-21857; Filed, Dec. 20, 1946;
8:54 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and
Naturalization ServicePART 60—FIELD SERVICE DISTRICTS AND
OFFICERSPOWER OF ARREST WITHOUT WARRANT, OF
BOARDING AND SEARCHING, AND OF EX-
ECUTING WARRANTS

DECEMBER 5, 1946.

Section 60.28, Chapter I, Title 8, Code of Federal Regulations is hereby amend-
ed to read as follows:

§ 60.28 Power of arrest without war-
rant, of boarding and searching, and of

executing warrants. All patrol inspectors, immigrant inspectors, and all persons designated immigrant inspectors by § 60.27 are hereby authorized to exercise the power of arrest without warrant, the power to board and search vessels and other conveyances, and the power to execute warrants and other processes, conferred by the act of February 27, 1925, as amended by the act of August 7, 1946 (43 Stat. 1049, 60 Stat. 865; 8 U. S. C. 110).

This order shall be deemed to have become effective on August 7, 1946.

(Sec. 23, 39 Stat. 892; sec. 24, 43 Stat. 166; sec. 37 (a), 54 Stat. 675; 8 U. S. C. 102, 222, 458; sec. 1, Reorg. Plan No. V, 3 CFR, Cum. Supp., Ch. IV; 8 CFR, 1943 Supp., 90.1)

T. B. SHOEMAKER,
Acting Commissioner of
Immigration and Naturalization.

Approved: December 17, 1946.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 46-21782; Filed, Dec. 20, 1946;
8:53 a. m.]

Chapter II—Office of Alien Property, Department of Justice

PART 501—RULES OF PROCEDURE

FORMS

Section 501.60 is amended by including immediately following the description of Form APC-1B the following:

§ 501.60 Forms. * * *

Form APC-1C—Notice of Claim under Section 34.

Purpose: For use by persons seeking payment of debts under section 34 of the Trading with the Enemy Act.

Contents: Claimant's name, address, citizenship, claimant's agent, fees, identification of debtor and property, amount, nature and date of debt.

(40 Stat. 411, 50 Stat. 839, 60 Stat. 50, Pub. Law 671, 79th Cong.; 50 U. S. C. App. and Sup. 1, 616; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981; 28 CFR 51.81, 11 F. R. 14135)

Executed at Washington, D. C., this 17th day of December 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director,
Office of Alien Property.

[F. R. Doc. 46-21816; Filed, Dec. 20, 1946;
8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 379]

PART 202—ACCOUNTS, RECORDS AND REPORTS

FORMS OF REPORTS OF FINANCIAL AND OPERATING STATISTICS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the

12th day of December, 1946. (Amendment No. 6 of § 202.1 of the Economic Regulations, "Forms of Reports of Financial and Operating Statistics").

The Civil Aeronautics Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (f) thereof, and finding that paragraph (c) of § 202.1 of the Economic Regulations was promulgated for reasons of military security and that said paragraph is no longer required and should be repealed, and that notice and public procedure thereon are unnecessary, hereby makes and promulgates the following regulation:

Effective on the 12th day of December, 1946, paragraph (c) of § 202.1 of the Economic Regulations is repealed.

(52 Stat. 984, 1000, as amended; 49 U. S. C. 425, 487)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21805; Filed, Dec. 20, 1946;
8:47 a. m.]

[Regs., Serial No. 380]

PART 224—TARIFFS

POWERS OF ATTORNEY

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 12th day of December, 1946. (Amendment No. 3 of § 224.1 of the Economic Regulations.)

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 205 (a), and for the purpose of implementing section 403 (a) thereof, and finding that notice and public procedure are unnecessary because only minor and technical amendment of an existing regulation is involved, hereby makes and promulgates the following amendment:

Effective December 12, 1946, paragraphs (q) (1), (2), and (4) are respectively amended to read as follows:

§ 224.1 *Filing, posting, and publishing of tariffs by air carriers and foreign air carriers. * * **

(q) *Powers of attorney.*

(1) The following form shall be used by a carrier to give authority to an agent to publish and file tariffs, supplements and revised pages, for and on behalf of such carrier. (See paragraph (b) (1), (2), and (3) of this section.) Powers of attorney shall be prepared on good paper of durable quality, eight and one-half by eleven inches in size. They must be prepared in triplicate. The original shall be filed with the Board, the duplicate sent to the agent designated therein, and the third copy retained by the issuing carrier. (Existing powers of attorney that do not comply with the requirements of this sub-paragraph must be reissued or revoked within one hundred eighty (180) days from the effective date of this sub-paragraph (December 12, 1946).)

POWER OF ATTORNEY

No. _____

Cancels No. _____

(Corporate Name of Carrier)

(Post Office Address)

19 _____

Know all men by this instrument:

That (insert correct corporate name of carrier), makes and appoints (name of principal agent) attorney and agent, (1) for it alone, and (2) for it jointly with other carriers, to publish and file for it all tariffs, supplements, and revised pages it is required to publish and file by the Civil Aeronautics Act of 1938, and the regulations of the Civil Aeronautics Board issued pursuant thereto, and ratifies and confirms all that said attorney and agent may lawfully do by virtue of the authority herein granted and assumes full responsibility for the acts and failures to act of said attorney and agent.

(If the authority is to be restricted state specifically what authority is conferred, i. e., property rates, charges, rules, regulations and routings not including air express rates, charges, rules, regulations or routings; passenger fares, baggage rates, rules, regulations and routings; Universal Air Travel Plan Tariff, supplements or revised pages thereto and successive issues thereof.)

And, further, that (insert correct corporate name of carrier) makes and appoints (name of alternate agent) alternate attorney and agent to do and perform the same acts and exercise the same authority granted to (name of principal agent) in the event and only in the event of the death or disability of (name of principal agent.)

[CORPORATE SEAL]

By _____
Vice-President—Traffic.

Attest:

Secretary-Treasurer.

Duplicate mailed to (name and address of agent):

The term "disability" as used in the power of attorney shall mean resignation, permanent transfer to other duties, or other permanent absence, of the principal agent, and not temporary absence of the principal caused by vacation, illness, or other similar reasons.

(2) Powers of Attorney, if executed without modification, confer unlimited authority to publish local rates for the carrier issuing the Power of Attorney and to publish joint rates for such carrier and such other carriers as shall have issued the necessary authority. If it is desired to limit the authority granted to the agent, the form may be modified by adding at the end of the first paragraph the statement: "This authority is restricted to the filing of the publications (or types of publications) set forth below," or by otherwise clearly stating the extent of the authority granted. If it is desired to limit the authority granted to publication of a particular tariff or tariffs, this may be done by giving a sufficiently accurate description of the title page of each tariff to identify it, and by showing the C. A. B. Number if known. If it is intended that the authority granted shall include supplements to or reissues of specifically named tariffs, that fact should be made clear by adding after the designation of the tariff, "supplements thereto and successive issues thereof."

* * * * *

(4) A Power of Attorney may be revoked upon not less than forty-five (45) days' notice to the Board by filing with the Board, and serving at the same time a copy thereof on the agent in whose favor the Power of Attorney was executed, a notice of revocation in the form set forth and prepared in conformity with the requirements prescribed in this subparagraph in respect to Powers of Attorney. Such revocation may be made for the purpose of eliminating agency publication of tariffs (generally or specifically), for the purpose of changing the authority previously granted to an agent without changing the agent, or for transferring authority from one agent and alternate to another agent and alternate. If the revocation is for the purpose of changing the authority previously granted to an agent without changing the agent the revocation notice must be accompanied by the new Power of Attorney and the form of notice set forth below should be modified to include specific reference to the new Power of Attorney. When it is desired to transfer authority from one agent and alternate to another agent and alternate, such transfer may be accomplished by filing a new Power of Attorney for the agent and alternate thereafter to serve, which shall specifically cancel the previous Power of Attorney. Such new Powers of Attorney shall bear no effective date. The originals thereof should not be sent direct to the Board but must be forwarded to the new principal agent who, after he has secured all the necessary authorities, must file the originals with the Board all at one time together with three copies of a take-over supplement for each tariff taken over. Such Powers of Attorney will become effective upon the date they are received by the Board. The Power of Attorney issued for the purpose of the transfer of agents shall not exceed or decrease the authority contained in the Power of Attorney being cancelled.

NOTICE OF REVOCATION OF POWER OF ATTORNEY

(Correct Corporate Name of Carrier)
(Post Office Address)

-----, 19--

Know all men by this instrument:

Effective -----, 19--
power of attorney No. ----- issued by
----- in favor
(Correct Corporate Name of Carrier)
of ----- is
(Name of Agent and of Alternate, if any)
cancelled and revoked.

By: -----
Secretary.

Attest:

[CORPORATE SEAL] -----
(Correct corporate
name of carrier)

Duplicate mailed to -----
(Name of Agent)

(Address)

(Date)

(52 Stat. 984, 992 as amended; 49 U. S. C. 425 (a), 483 (b))

By the Civil Aeronautics Board.

[SEAL]

H. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21804; Filed, Dec. 20, 1946;
8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51588]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICE REQUIREMENTS

Section 8.15 (a) Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.15 (a)), as amended by T. D. 51036 (9 F. R. 3891), T. D. 51105 (9 F. R. 9392), T. D. 51222 (10 F. R. 4289), and T. D. 51333 (10 F. R. 13259) is hereby further amended by adding a new subparagraph (26) reading as follows:

§ 8.15 When certified invoices not required. (a) * * *

(26) Screenings contained in importations of bulk grains.

The number of this Treasury decision shall be noted as a marginal reference to paragraph (a) of § 8.15, Customs Regulations of 1943.

(Secs. 484, 624, 46 Stat. 722, 759, sec. 12, 52 Stat. 1083; 19 U. S. C. 1484, 1624)

[SEAL]

FRANK DOW,
Acting Commissioner of Customs.

Approved: December 16, 1946.

E. H. FOLEY, Jr.,
Acting Secretary of the
Treasury.

[F. R. Doc. 46-21806; Filed, Dec. 20, 1946;
8:49 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority

PART 611—LOW-RENT HOUSING AND SLUM CLEARANCE PROGRAM: POLICY

CITIZENSHIP

Section 611.4 is amended to read as follows:

§ 611.4 Citizenship. With respect to all low-rent projects for which contracts were entered into after April 18, 1940, and with respect to all leases for dwellings in PWA projects entered into after June 23, 1944, only citizens of the United States may be admitted as tenants; except that this requirement shall not be applicable in the case of the family of any serviceman or the family of any veteran who has been discharged (other than dishonorably) from, or the family of any serviceman who died in, the armed forces of the United States within 4 years prior to the date of appli-

cation for admission. Non-citizens admitted prior to the dates set forth above may continue occupancy, if otherwise eligible.

(48 Stat. 195; 50 Stat. 888; 60 Stat. 586; Pub. Law 519, 79th Cong.; 40 U. S. C. 401; 42 U. S. C. 1401)

Approved: December 13, 1946.

[SEAL]

D. S. MYER,
Commissioner.

[F. R. Doc. 46-21781; Filed, Dec. 20, 1946;
8:51 a. m.]

PART 640—VETERANS' EMERGENCY HOUSING PROGRAM: PROCEDURES

AUTHORIZATION FOR CONSTRUCTION AND PRI- ORITIES ASSISTANCE FOR MATERIALS AND EQUIPMENT

Section 640.3 is amended to read as follows:

§ 640.3 Authorization for construction and priorities assistance for materials and equipment. In connection with this program, the FPFA approves applications for authorization of construction and for priorities assistance in accordance with regulations of the Civilian Production Administration and the National Housing Agency. All inquiries concerning authorization of construction or priorities assistance should be addressed to the appropriate FPFA Regional Office.

PART 660—PROCUREMENT AND DISPOSAL PROGRAM: PROCEDURES

Part 660 is amended to read as follows:

Sec.

660.1 Procurement of materials, equipment, supplies and services.

660.2 Disposal of surplus real property assigned by the War Assets Administration.

660.3 Disposal of surplus personal property owned by the FPFA.

AUTHORITY: §§ 660.1 to 660.3, inclusive, issued under E. O. 9689, Jan. 31, 1946, 11 F. R. 1265.

§ 660.1 Procurement of materials, equipment, supplies and services. The FPFA uses Federal sources of supply whenever possible. When outside sources must be resorted to, it proceeds in accordance with Title 41 of the United States Code. In the case of procurement required by law to be on the basis of formal competitive bids due publicity as required by law will be given.

§ 660.2 Disposal of surplus real property assigned by the War Assets Administration. Surplus real property assigned to the FPFA for disposal by the War Assets Administration will be sold in accordance with regulations of the War Assets Administration. All inquiries as to the time, manner and conditions of disposition should be addressed to the FPFA Regional Office having jurisdiction of the property.

§ 660.3 Disposal of surplus personal property owned by the FPFA. Surplus personal property owned by the FPFA will be sold in accordance with regulations of the War Assets Administration. All inquiries as to the time, manner and

conditions of disposition should be addressed to the FPHA Regional Office having jurisdiction of the property.

Approved: December 13, 1946.

[SEAL]

D. S. MYER,
Commissioner.

[F. R. Doc. 46-21777; Filed, Dec. 20, 1946;
8:51 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5548]

PART 458—INSPECTION OF RETURNS

INSPECTION OF INCOME, EXCESS-PROFITS, AND DECLARED VALUE EXCESS-PROFITS TAX RETURNS BY COMMITTEE ON NAVAL AFFAIRS, HOUSE OF REPRESENTATIVES

§ 458.200 *Inspection of returns by Committee on Naval Affairs, House of Representatives.* (a) Pursuant to the provisions of sections 55 (a), 508, 603, and 729 (a) of the Internal Revenue Code (53 Stat. 29, 111; 54 Stat. 989, 1008; 26 U. S. C., secs. 55 (a), 508, 603, and 729 (a)), income, excess-profits, and declared value excess-profits tax returns made for the years 1941, 1942, and 1943 shall be open to inspection by the Committee on Naval Affairs, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 154 (Seventy-ninth Congress, first session), passed March 19, 1945. The inspection of returns herein authorized may be by the committee or a duly authorized subcommittee, or by or through such examiners or agents as the committee or subcommittee may designate or appoint. Upon written notice by the chairman of the committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayer whose returns it is necessary to inspect and the taxable periods covered by the returns, the Secretary and any officer or employee of the Treasury Department shall furnish such committee or subcommittee with any data relating to or contained in any such return, or shall make such return available for inspection by the committee or subcommittee or by such examiners or agents as the committee or subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the committee or the subcommittee thereof shall be held confidential: *Provided, however,* That any portion or portions thereof relevant or pertinent to the purpose of the investigation may be submitted by the committee to the House of Representatives.

(b) Because of the short period of time remaining in which the said Naval Affairs Committee may inspect the tax returns herein mentioned, it is found that it is impracticable to issue this Treasury decision with notice and public procedure thereon under section 4 (a)

of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said Act.

(c) This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

JOHN W. SNYDER,
Secretary of the Treasury.

Approved:

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 46-21868; Filed, Dec. 19, 1946;
4:50 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 226—DEFINITIONS OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

CALIFORNIA, NEW MEXICO AND WYOMING

Section 226.0, Part 226, Title 30, Chapter II, Code of Federal Regulations, is hereby amended by adding the following new paragraph:

(c) Effective as of the date of their promulgation, the following known structures had been defined.

| Name of Field and Date of Promulgation | | |
|--|-------|-------|
| California: | | |
| Belgian Anticline Field, Nov. 14, 1946 | ----- | 2,435 |
| McKittrick Field (revision), Nov. 14, 1946 | ----- | 3,404 |
| New Mexico: | | |
| Russell Field (revision), Nov. 27, 1946 | ----- | 1,480 |
| Wyoming: | | |
| Muskrat Field (revision), Nov. 14, 1946 | ----- | 1,705 |

THOMAS B. NOLAN,
Acting Director.

[F. R. Doc. 46-21474; Filed, Dec. 20, 1946;
8:53 a. m.]

PART 226—DEFINITIONS OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

OUTSTANDING DEFINITIONS

Section 226.0 of 30 CFR, Part 226 (11 F. R. 9104), is hereby amended in part to read as follows:

§ 226.0 *Outstanding definitions.* (a) There is set forth in this part a list of definitions of known geologic structures of producing oil and gas fields issued in effectuation of the purposes of section 17 of the Mineral Leasing Act of February 25, 1920, as amended (41 Stat. 443, 46 Stat. 1007, 46 Stat. 1523, 49 Stat. 676; 30 U. S. C., sec. 226). The descriptions of these respective structures have heretofore been noted by legal subdivision, township, and range on the tract books of the appropriate district office of the Bureau of Land Management and are also on record in the Geological Survey and in the Bureau of Land Management, Washington, D. C. The structures which have been defined are listed alphabet-

ically hereinafter under the states in which they are situated.

(20 Stat. 394, 41 Stat. 450; 43 U. S. C., sec. 189)

THOMAS B. NOLAN,
Acting Director.

[F. R. Doc. 46-21778; Filed, Dec. 20, 1946;
8:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1034]

FRED H. WOLFE

Fred H. Wolfe, P. O. Box 26, Nelsonville, Ohio, during August, 1946, resumed the construction of a commercial garage building located immediately east of and partially adjoining a structure at 641 Chestnut Street, Nelsonville, Ohio, which construction was originally started in August or September, 1945, and was suspended in September, 1945. The estimated cost of completion of said commercial garage building amounted to about \$4,500.00 and construction was resumed without authorization of the Civilian Production Administration. This resuming of construction by Fred H. Wolfe constituted gross negligence and a violation of Veterans' Housing Program Order 1 (11 F. R. 11564) through his failure to make due inquiry as to the requirements of the said order after he knew of its existence. This violation has diverted scarce materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1034 *Suspension Order No. S-1034.* (a) Neither Fred H. Wolfe, his successors and assigns, nor any other person shall do any further construction on the commercial garage structure known as the easterly section of the building at 641 Chestnut Street, Nelsonville, Ohio, including completing or altering the structure, unless hereafter authorized in writing by Civilian Production Administration.

(b) Fred H. Wolfe shall refer to this order in any application or appeal which he may file with the Civilian Production Administration.

(c) Nothing contained in this order shall be deemed to relieve Fred H. Wolfe, his successors and assigns, from any restriction, prohibition or provision of the Civilian Production Administration.

tion, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 19th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21865; Filed, Dec. 19, 1946;
4:34 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1044]

TRAVELERS OIL CO.

Roby E. Taylor, Mrs. Alma Taylor, and Robert Taylor are copartners doing business as Travelers Oil Company, engaged in wholesale and retail distribution of gasoline and oil through a number of filling stations with their principal place of business at 958 North Liberty Street, Winston-Salem, North Carolina. On or about March 28, 1946, they began and carried on construction of a filling station at 13th and North Liberty Street, Winston-Salem, North Carolina, at an estimated cost of \$6,000.00 without the authorization of the Civilian Production Administration. They became aware of the terms of Veterans' Housing Program Order No. 1 (11 F. R. 11564) during the month of April 1946, but continued work on the project in wilful violation of the order without securing authorization. The beginning and carrying on of this construction without authorization had diverted critical materials to uses not authorized by the Civilian Production Administration. About June 6, 1946, the partnership misapplied an HH preference rating therefore issued to their employee J. Webb Mathis for his home construction; by using said preference rating to secure from a supplier, Fogle Brothers Company, twenty doors to be installed in the aforesaid filling station and elsewhere, in wilful violation of Priorities Regulations 1 and 33. These doors, though of odd sizes, constituted critical material which was diverted to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1044 *Suspension Order No. S-1044.* (a) Roby E. Taylor, Mrs. Alma Taylor, and Robert Taylor, shall not do further construction on the filling station or any part thereof located at 13th and North Liberty Streets, Winston-Salem, North Carolina, including putting up, altering or completing said structure unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Roby E. Taylor, Mrs. Alma Taylor, and Robert Taylor, shall refer to this order in application or appeal which they may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Roby E. Taylor, Mrs. Alma Taylor, and Robert Taylor from any restriction, prohibition, or provision contained in any other order or

regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Roby E. Taylor, Mrs. Alma Taylor, and Robert Taylor, doing business as Travelers Oil Company, or under any other name, their successors and assigns, or persons acting in their behalf. Prohibitions against the taking of any action includes the taking indirectly as well as directly of any such action.

Issued this 19th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21864; Filed, Dec. 19, 1946;
4:34 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1055]

A. MELVILLE COX

A. Melville Cox, residing at 3416 Fairhill Drive SE., Washington, D. C., is the owner of the property at 1112 13th Street NW., Washington, D. C. Subsequent to March 26, 1946, he began construction in remodeling a three-story brick residential building at 1112 13th Street NW., Washington, D. C., to an office building at an estimated cost of between \$4,000 and \$5,000, without authorization from the Civilian Production Administration. On October 15, 1946, a telegram was sent to him from the Civilian Production Administration by J. Joseph Whelan, Recording Secretary, directing that he stop all construction on the aforementioned premises. In spite of this order, A. Melville Cox has continued construction. The beginning and carrying on of this construction at a cost in excess of \$1,000, with knowledge of Veterans' Housing Program Order 1 constitutes a wilful violation of Order VHP-1.

This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1055 *Suspension Order No. S-1055.* (a) Neither A. Melville Cox, his successors or assigns, nor any other person shall do construction on the premises located at 1112-13th Street, NW., Washington, D. C., including completing, putting up, or altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) A. Melville Cox shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve A. Melville Cox, his successors or assigns, from any restriction, prohibition, or provision contained in any order or regulation of the Civilian Production Administration, ex-

cept insofar as the same may be inconsistent with the provisions hereof.

Issued this 19th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21863; Filed, Dec. 19, 1946;
4:34 p. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Revocation of Direction 11]

USE OF SYMBOL TFS ON CERTAIN SELECTED ORDERS FOR STEEL SHEETS

Direction 11 (11 F. R. 2770) to General Preference Order M-21 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the Civilian Production Administration under the direction. Also, it does not relieve any person who has obtained material with the certification described in Direction 11 to Order M-21 from the obligation of using or disposing of the material obtained with the certification in accordance with its terms. The sale and delivery of steel sheets remain subject to all other applicable orders and regulations of the Civilian Production Administration.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21886; Filed, Dec. 20, 1946;
11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1050]

SAM MURMAN

During September, 1946, Sam Murman of Los Angeles, California, without authorization from the Federal Housing Administration began and carried on construction of one six-apartment building and garage at 1414-18W. 25th Street, Los Angeles, California, and another at 1422-26 West 25th Street, Los Angeles, California, each at an estimated cost considerably in excess of \$1,000. This construction constituted a violation of Civilian Production Administration Veterans' Housing Program Order No. 1, and has diverted scarce materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1050 *Suspension Order No. S-1050.* (a) Neither Sam Murman, nor any other person shall do any further construction on the structures referred to above, including putting up, completing or altering the structures, unless hereafter authorized in writing by the Federal Housing Administration or the Civilian Production Administration.

(b) Sam Murman shall refer to this order in any application or appeal which he may file with the Civilian Production

Administration or the Federal Housing Administration for priorities assistance.

(c) Nothing contained in this order shall be deemed to relieve Sam Murman, his successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21892; Filed, Dec. 20, 1946;
11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Dec. 20, 1946]

SPECIAL SALES

Explanation and Scope

- Par.
- (a) What this regulation does.
 - (b) Definitions.
 - (c) Sales not covered by this regulation.
- General Rules for All Special Sales*
- (d) Most special sales may be made freely; general rules.
 - (e) Use of material acquired with priorities assistance.
 - (f) Sales through an agent.
- Restricted Special Sales*
- (g) Materials or products on List A.
 - (h) Materials or products on List B (export).
 - (i) Sales as scrap of materials or products other than plant-generated scrap.
- Provisions Relating to Buyers*
- (j) Provisions relating to buyers.
- Miscellaneous Provisions*
- (k) Records.
 - (l) Revisions of Lists A and B.
 - (m) Letters and questions.

LIST A—RESTRICTIONS ON SPECIAL SALES (DOMESTIC)

- A. General rules.
- B. Classes of buyers.
- C. Exceptions from the restrictions on the list.
- D. Buyers' obligations.

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT

Explanation and Scope

§ 944.34 *Priorities Regulation 13—(a)* What this regulation does. This regulation covers special sales, which, in general, are sales of materials or products by persons who acquired or made them for use and not for sale or resale. This is more fully explained in paragraph (b) (1). Special sales may be made freely, except for certain sales of surplus under CPA directions, materials or products on List A (Domestic) or List B (Export), and certain sales as scrap. This is the only CPA regulation on special sales, and a seller who wants to make a special sale need not look at any other CPA regulation or order unless this regulation says he must. However, all buyers must comply with applicable CPA orders on use, inventory, resale, etc., as explained in paragraph (j).

(b) *Definitions.* As used in this regulation:

(1) "Special sale" means a sale of a material or product by any person (including a Government agency) who acquired or made it for use and not for sale or resale. All sales by trustees in bankruptcy, receivers and other kinds of liquidators (in the course of liquidation as distinct from continued operation of a business) are special sales even though neither they nor their beneficiaries bought for use. All sales at public auction by general auctioneers are special sales regardless of the purpose for which the material or product was acquired. All sales of surplus materials or products by Government agencies are special sales. Transfers of materials acquired or made for use, from one plant or operating unit to another which is owned by the same person but which normally buys separately, are special sales.

(2) "Material or product" means any commodity, equipment, accessory, part, assembly or product of any kind in finished, semi-finished or raw material form.

(3) A "used" material or product is one which has been put into actual use.

(4) "Persons buying for use" include, among others, a contractor who buys with intent to incorporate the material in a building or product for a third person.

(c) *Sales not covered by this regulation.* The following types of sales are not considered special sales and are not governed by this regulation, even though they may involve materials or products acquired or made for use:

(1) A sale of a material or product by a person regularly engaged in the business of selling it. He is governed, however, by all CPA orders and regulations which apply to his business and to the material or product he is selling.

(2) Sales of plant-generated scrap, meaning scrap which is generated in the course of manufacture or is the waste of industrial fabrication. Sales of other kinds of scrap are covered by paragraph (i).

(3) Sales of rationed products which are controlled by another Government Agency.

(4) Sales of foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(5) [Deleted Oct. 1, 1945.]

(6) A sale of an entire business which is transferred as a going concern to a new owner who continues to operate it in the same or substantially the same form.

(7) [Deleted Oct. 1, 1945.]

General Rules for All Special Sales

(d) *Most special sales may be made freely; general rules.* A seller may make a special sale of most materials or products freely to anyone without CPA authorization and without requiring the buyer to apply or extend a preference rating. The only exceptions are certain sales of surplus under CPA directions, special sales of materials or products on List A (domestic sales) and on List B (export), and certain sales as scrap, as explained in paragraphs (d) (4), (g), (h)

and (i). In addition, all sellers are subject to the following general rules and conditions:

(1) If the seller knows that a person who wants to buy the material or product will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale may not be made. The buyers' obligations are stated in paragraph (j).

(2) At special sales, preference ratings have no effect either by way of obliging a holder to sell or by way of determining as among several buyers who shall get the material or product. However, this does not excuse a seller from complying with the restrictions on List A or B applying to the items listed.

(3) Even if the buyer gives the seller a preference rating at a special sale, the seller cannot use this rating to replace the material or product he has sold. The effect of this rating stops when the seller receives it.

(4) If the sale relates to surplus Government-owned or Government-involved materials or products (including contractor inventories and sales by owning or disposal agencies), the seller may be subject to regulations of the War Assets Administration. The seller must also comply with any directions on specific materials or products which may be issued by the CPA as part of this regulation or otherwise.

(e) *Use of material acquired with priorities assistance.* This regulation does not change the general rule of § 944.11 of Priorities Regulation 1 that material acquired with priorities assistance must, if possible, be used for the purpose for which the assistance was given. Where such material cannot be used for this purpose, then this regulation applies if a special sale is made.

(f) *Sales through an agent.* Where a person sells through an agent, except at public auction sales, the sale is a special sale only if it would be a special sale if made directly by the principal. If it is a special sale, the restrictions of this regulation apply to the principal and also to his agent if the latter knows or has reason to know the facts. In cases of special sales made at public auctions, the restrictions of this regulation are applicable both to the auctioneer and to his principal.

Restricted Special Sales

(g) *Materials or products on List A.* A special sale of a material or product on List A attached to this regulation, other than a sale for export, may be made only under the conditions described in the list.

(h) *Materials or products on List B (export).* A special sale of a material or product on List B to a foreign purchaser or to a domestic purchaser who is buying for export or for resale to a foreign purchaser may be made only under the conditions described in the list. Used materials or used products, however, may be sold freely for export unless a notation on List B indicates a restriction on the sale in their used condition. Also, if an exporter is unable to export material purchased for export, he may make a special sale of it in the domestic market under the rules of this regulation. Nothing in this regulation

relieves any exporter from complying with all applicable regulations of the Office of International Trade, Department of Commerce, or other Government agencies who may have jurisdiction over exports.

(1) *Sales as scrap of materials or products other than plant-generated scrap.* (1) Any material or product (other than plant-generated scrap) may be sold as scrap in a special sale of it is obsolete, unusable or not-readily salable and will be used or consumed principally as scrap although some part of it may possibly be salvaged by the scrap buyer. A person may make such a special sale as scrap without stripping, disassembling or breaking up the material or product before sale. The sale may be made either to any consumer of scrap to be used only as scrap, or to any person regularly engaged in the collection, disassembling, sorting, and disposal of that kind of scrap material, primarily for remelt or other scrap use. Subsequent sales of any salvaged materials or products by such a scrap dealer are not covered by this regulation, but are subject to any CPA orders or regulations which apply to the distribution of the particular material or product.

(2) If the buyer by contract, warranty or otherwise has stated that the particular material or product being sold as scrap will be used or disposed of as scrap, this regulation does not relieve the buyer from compliance with that condition.

(3) The sale at low prices, even as low as scrap prices, of prime or off-grade materials or products for use or resale "as is" does not constitute a sale as scrap and such sales may not be made under this paragraph. Instead such a sale is subject to all the other rules of this regulation which apply to special sales of the particular materials or products.

(4) This paragraph permits special sales as scrap only for use or resale within the United States, its territories or possessions.

Provisions Relating to Buyers

(j) *Provisions relating to buyers—*(1) *Use and quantity restrictions still apply.* The buyer at a special sale may not violate any CPA order or regulation controlling the amount of any material or product he may make or the use or disposition that he may make of it. He must also comply with any applicable order which limits the amount of any material or product he may buy (in terms of a specified quantity or quota as distinguished from a provision requiring CPA permission for all purchases. The latter type of provision does not apply when a special sale is made unless required by this regulation). All the prohibitions in CPA orders or regulations against the use of materials or products for particular purposes remain in effect, and even though a special sale may not be restricted by this regulation, the buyer may have to get permission to use under the applicable order.

(2) *Inventories.* (1) Persons buying for use may accept delivery of any item of a material or product bought on a special sale under this regulation if his total inventory of that item is or will by virtue of accepting such delivery be not in excess of his succeeding 90 days requirements. Directions issued pursuant to this regulation may impose more restrictive limitations on particular products. This permits a person to exceed other applicable inventory limits only if he acquires the excess under this regulation. However, if as a result of deliveries of materials or products accepted under this paragraph, his working inventory exceeds a practicable minimum or other applicable limits, he must promptly adjust his outstanding orders with his suppliers, and, if necessary, postpone or cancel them as described in paragraph (e) of Priorities Regulation 32. Paragraph (h) of Priorities Regulation 32 explains what receipts are permitted from suppliers after adjustment of orders. This paragraph does not permit a person to stockpile in anticipation of starting or resuming civilian production, except as permitted by Priorities Regulation 32. However, if any applicable CPA order or regulation permits a larger inventory than 90 days, this paragraph does not restrict receipts below the larger amount.

(ii) Persons buying for resale are subject to all applicable inventory restrictions. However, any material obtained under this regulation by such persons must be offered for sale promptly in accordance with applicable CPA orders and regulations.

(3) *Persons buying for resale.* If a person at a special sale buys a material or product for resale, he may not resell in violation of any CPA regulation or order which applies to persons engaged in the business of selling the particular material or product. Even if the buyer for resale has not previously sold the material or product as part of his regular business, he is subject to the same restrictions in reselling as a regular wholesaler, retailer or other distributor of it under all applicable CPA regulations and orders, unless the particular regulation or order specifically states otherwise. For example, if an order requires specific CPA permission before a regular distributor of a product can sell it, any person who buys it at a special sale for resale must do what the order says.

(4) *Reports.* If any order or regulation provides that a buyer of a material or product must make any report or furnish any information either to the Civilian Production Administration or to the seller, this regulation does not excuse him from these requirements.

(5) *Obligations of persons giving certificates.* Any person giving any of the certificates required by this regulation may obtain and use or dispose of the materials or products which he gets with his certificate only in accordance with its terms.

Miscellaneous Provisions

(k) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(1) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised from time to time. A person wishing to sell a material or product under this regulation should be sure that he has the lists which are in effect at the time of the sale.

(m) *Letters and questions.* Any letters or questions about this regulation should be sent to the Civilian Production Administration in Washington 25, D. C., marked "Ref: P.R. 13".

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—RESTRICTIONS ON SPECIAL SALES (DOMESTIC)

A. *General rules.* Special sales in the domestic market of materials or products in Column 1 of List A below are restricted to certain classes of buyers as indicated below in section B, and in accordance with any special rules for a particular material or product as shown on the list. The listings show in some instances the class or group of materials and do not always list all the trade names and related materials. Exceptions to the restrictions are indicated below in section C. Special sales of materials or products not listed may be made freely, but all special sales are subject to the general rules in paragraphs (d), (e) and (f) of the regulation.

B. *Classes of buyers.* Special sales of materials or products on this List A may be made to the following classes of buyers:

(1) To a producer of the same kind of material or product.

(2) To a reprocessor, unless a note in Column 4 of the list indicates to the contrary with respect to a particular material or product. A reprocessor means any person who remakes, repairs or reworks new, rejected or second-grade materials or products of the kind being sold.

(3) To a regular dealer, unless Column 3 or a note in Column 4 of the list indicates to the contrary with respect to a particular material or product. A dealer means any wholesaler or retailer regularly dealing in the materials or products of the kind being sold, and reselling them from stock or inventory to industrial users or to other persons. It also includes persons who recondition or rebuild equipment and machinery of the kind being sold for resale to industrial users. Such persons are not, however, relieved from compliance with any CPA orders or regulations which control the distribution of the material by them.

If this List A shows no restrictions on the special sale of a material or product to a regular dealer, the seller may sell it to any person for resale who gives him the following certification, provided the seller has no reason to believe that it is false.

The undersigned buyer certifies under Priorities Regulation 13 to the seller and to the CPA that he will in good faith offer for sale the material or product covered by this order in substantially the same time and manner as would a person regularly dealing in it, that he will render substantially the same type of service as would such a person, and that he will comply with all CPA regulations and orders applicable to such a person.

(Signature)

Any person giving such a certification must comply with all applicable CPA regulations and orders as he has certified he will. The standard certification provided in Priorities Regulation 7 may not be used in place of this certification.

(4) To persons buying for use subject to the restrictions indicated in Columns 2 and 4 of the list.

C. *Exceptions from the restrictions on the list.* Even if this List A shows a restriction on the special sale of a particular material or product, the sale may still be made if one or more of the following conditions apply:

(1) *Special permission.* If the list requires special authorization from the CPA in order for a sale of a particular material or product to be made, or if other conditions imposed by the list cannot be met, the seller may apply on Form CPA-1161 for special permission to sell unless the list states that some other form must be used. If Form CPA-1161 is applicable, and permission is given, it may be restricted to a specific buyer or class of buyers, or may permit the sale to any buyer for resale who gives the certification described in section B (3) above relating to dealers.

(2) *Used materials or products.* If the material or product is used, it may be sold freely to anyone unless a notation on List A indicates a restriction on its sale.

(3) *Small quantity exemption.* A special sale may be made freely if all the material or product of the same kind or type that the seller has at any one plant, operating unit or location did not cost him more than \$100. In the case of any materials or products involved in a Government contract termination, this exemption applies if there is no more than \$100 worth of the material or product in the termination inventory at any one location. Similarly, \$100

worth (at cost) of any material or product may be sold at any single public auction, regardless of the amount of the material or product the seller has. Also, for the purpose of determining whether a particular lot of material or product is suitable for the prospective customer's use, a person may make a special sale of a sample lot, provided the amount involved (at cost to the seller) of any such sample does not exceed \$20.

(4) *Special orders.* If the Civilian Production Administration by an order or in any other way has ruled that all persons engaged in a particular business may sell or exchange the materials or products between themselves, they may do so.

(5) *Disposal of contract termination inventories.* For the purpose of making a settlement of a Government contract, surplus materials or products on List A may be transferred freely from any subcontractor or prime contractor to a procuring agency or disposal agency of the Government, providing the procuring agency has so directed. However, if any material or product is later withdrawn from the contract settlement, its disposition is controlled by this List A.

(6) *Sales to Government stockpiling agencies.* A person may sell surplus materials or products on List A freely to one of the following Government Corporations or to anyone buying as agent for one of them: Commodity Credit Corporation or Reconstruction Finance Corporation (Office of Defense Supplies, Office of Metals Reserve, or Office of Rubber Reserve).

(7) *Transfers of surplus Government-owned materials or products.* Transfers by

Government agencies of surplus materials or products, or of idle or excess materials or products not acquired for sale or resale, may be made freely to a Government Disposal Agency acting as such and may be made freely between and within the War Department, Navy Department, Maritime Commission, War Shipping Administration, Veterans' Administration, and the Reconstruction Finance Corporation, Office of Defense Plant, and from the Government Disposal Agencies to any of the above.

D. *Buyers obligations.* No matter who the buyer is or how the sale is made or authorized, the buyer is always subject to the conditions and other provisions stated in paragraph (j) of the regulation.

EXPLANATION OF TERMS USED

"CPA-1161" (or other designated Civilian Production Administration form number) means that the seller may not sell to the class of buyer listed at the head of the column without special Civilian Production Administration permission pursuant to application on the form specified. A note in the Remarks Column may show limited exceptions to this requirement. Section C (1) in the introduction to this list tells how to get permission.

"WOP" means that the seller can sell to the class of buyer listed at the head of the column without any preference rating, allocation, or other special permission being necessary.

Provisions in the Remarks Column applicable to the particular material or product must be complied with.

NOTE: Table amended Dec. 20, 1946.

| Materials or products (new, unless "used" is specified) | Persons buying for use | Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder | Remarks | |
|--|------------------------|--|--|--|
| (1) | (2) | (3) | (4) | |
| PART I—METALS AND METALLIC ORES | | | | |
| Antimony*..... | CPA-1161..... | CPA-1161..... | *No authorization required providing the buyer certifies to the seller that his aggregate purchases from all sources in any month, including the purchase in question, do not exceed 224 pounds (contained antimony). | |
| Tin: Pig tin..... | CPA-1161..... | CPA-1161..... | | |
| Uranium..... | CPA-1161..... | CPA-1161..... | | |
| PART II—CHEMICALS | | | | |
| All chemicals are unlisted in List A but the uses of certain chemicals are restricted by applicable M orders. See paragraph (j). | | | | |
| PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS | | | | |
| These restrictions do not apply, if the material was acquired without a priority rating or authorization from the Civilian Production Administration. | | | | |
| Cordage (see Rope). | | | *Special sales may only be made to persons who give the following certificate in writing with their purchase order: "The undersigned certifies to the seller and the CPA, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that all the material covered by this purchase order will be used or disposed of only in accordance with the provisions of Order M-84." | |
| Fibers: | | | | |
| Cordage fibers (Manila and Agave only)..... | CPA-1161..... | CPA-1161..... | | |
| Rope (Manila only)..... | (*)..... | (*)..... | *Special sales may only be made to persons who give the following certificate in writing with their purchase order: "The undersigned certifies to the seller and the CPA, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that all the materials and equipment covered by this purchase are required for and will be used in construction of housing accommodations, or in production, for which priorities assistance has been assigned under the VEHP, or in construction for which priorities assistance has been assigned under the Veterans' Administration Construction Program. | |
| PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS | | | | |
| Building materials or equipment acquired with priorities assistance under PR 33 or its directions. (The restrictions of List A do not apply to sales of building materials or equipment by WAA.) | (*)..... | (**)..... | | |
| Rubber: | | | **Special sales may only be made to wholesalers or retailers regularly dealing in the materials or products in the form held by the holders who give the following certificate in writing with their purchase order: "The undersigned certifies to the seller and the CPA, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that the materials and equipment covered by this purchase order will be publicly offered for sale without delay, and will be disposed of only to persons who give a certificate in writing with their purchase orders in substantially the form of the certificate required for sales to persons buying for use under List A of PR 13." | |
| Natural rubber..... | CPA-1161..... | CPA-1161..... | | |
| Natural rubber latex..... | CPA-1161..... | CPA-1161..... | | |
| Chlorinated rubber (natural)..... | CPA-1161..... | CPA-1161..... | | |

NOTE: List B amended Dec. 20, 1946.

LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT

Special sales for export of materials and products on this List B are restricted as shown in the list in accordance with paragraph (h) of the regulation. For explanation of terms used, see List A.

| Materials or products (new, unless "used" is specified) | Persons buying for export or foreign purchasers | Remarks | Materials or products (new, unless "used" is specified) | Persons buying for export or foreign purchasers | Remarks |
|--|---|---|--|---|---------|
| (1) | (2) | (3) | (1) | (2) | (3) |
| PART I—METALS AND METALLIC ORES | | | PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS | | |
| Antimony..... | CPA-1161... | *No authorization required providing the buyer certifies to the seller that his aggregate purchases from all sources in any month, including the purchase in question, do not exceed 224 pounds (contained antimony). | These restrictions do not apply if the material was acquired without a priority rating or authorization from the Civilian Production Administration. | | |
| Babbitt and tin bearing alloys: Containing 12 percent or less tin by weight. | CPA-1161... | *No authorization required if the special sale does not exceed 1,000 pounds for one shipment. | Cordage (see Rope). Fabrics (Woven, felted, knitted and braided): Burlap..... | CPA-1161... | |
| Containing more than 12 percent tin by weight. | CPA-1161... | | Burlap bags (new and used), except sand bags. | CPA-1161... | |
| Solder: Containing 30 percent or less tin content by weight. | CPA-1161* | *No authorization required if the special sale does not exceed 1,000 pounds for one shipment. | Fibers: Hemp, Benares Sunn..... | CPA-1161... | |
| Containing more than 30 percent tin by weight. | CPA-1161... | | Manila, agave and jute..... | CPA-1161... | |
| Tin..... | CPA-1161... | | Rope (Manila and agave only).... | CPA-1161... | |
| Uranium..... | CPA-1161... | | PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS | | |
| PART II—DELETED AUG. 22, 1945 | | | Building materials or equipment acquired with priorities assistance assigned under PR 33. | CPA-1161... | |
| | | | Rubber: Natural rubber..... | CPA-1161... | |
| | | | Natural rubber latex..... | CPA-1161... | |
| | | | Reclaimed..... | CPA-1161... | |
| | | | Synthetic—all types..... | CPA-1161... | |
| | | | NOTE: Part V deleted Oct. 1, 1945. | | |

[F. R. Doc. 46-21891; Filed, Dec. 20, 1946; 11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13, Revocation of Direction 9]

SPECIAL INVENTORY RESTRICTION ON BUYERS OF SELECTED STEEL PRODUCTS AT SPECIAL SALES

Direction 9 to Priorities Regulation 13 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the Direction or of actions taken by the Civilian Production Administration under the Direction. Inventories of the steel products formerly covered by this direction remain subject to the provisions of paragraph (j) (2) of Priorities Regulation 13.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21889; Filed, Dec. 20, 1946; 11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Direction 23, as Amended Dec. 20, 1946]

DISPOSAL OF EDUCATIONAL EQUIPMENT BY GOVERNMENT DISPOSAL AGENCIES

The following direction is issued pursuant to Priorities Regulation 13:

(a) *Purpose of this direction.* There is a critical shortage in the supply of certain educational equipment required by nonprofit

institutions participating in the Veterans' Educational Program. These institutions must have the equipment immediately in order to make the benefits of the program available to the veteran students for whom the program is intended. The institutions are unable to obtain the equipment from other sources in time to take care of this program. The purpose of this direction is to make it possible for nonprofit educational institutions whose needs for equipment are certified by the Federal Works Agency to obtain immediately any of the needed equipment which is available in the hands of the government disposal agencies.

(b) *Effect of orders certified by FWA.* (1) Unless otherwise specifically directed by the Civilian Production Administration or by the Housing Expediter, government disposal agencies must give precedence over orders from buyers in any other category (except holders of CPA urgency certificates or holders of Housing Expediter certificates) to orders from nonprofit educational institutions for equipment listed on Table A of this direction, when these orders have been certified by FWA as necessary to enable the educational institution to meet the requirements of the Veterans' Educational Program. Nonprofit educational institutions desiring to place purchase orders with a disposal agency under this direction should forward them immediately to the appropriate FWA division office in the region in which the institution is located for certification by FWA and transmission by it to appropriate disposal agencies.

(2) The government disposal agencies must fill each order given precedence under paragraph (b) (1) as quickly as possible, irrespective of the preferences of the Surplus Property Act.

(3) The price and terms of sale of specific equipment to such educational institutions will be determined by the government disposal agencies and are not affected by this direction. This direction does not apply to

equipment which has been advertised or publicly offered for sale or to equipment located outside of the 48 states, the District of Columbia, Alaska, Hawaii, or Puerto Rico.

(c) *Expiration date.* This direction expires March 31, 1947.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

Educational equipment to be made available immediately to educational institutions under this direction. This direction applies only to items included in the indicated Standard Commodity Classification.

| Standard commodity classification | Electrical Machinery and Apparatus |
|-----------------------------------|---|
| 32 1200 1 | Generator sets, 125 kw and under. |
| 32 1200 2 | |
| 32 1200 3 | |
| 32 1400 | Rotary converters. |
| 32 1900 | Miscellaneous electrical rotating equipment. |
| 32 2100 | Switchgear. |
| 32 3000 | Power conversion equipment (non-rotating rectifiers). |
| 32 5000 | Secondary distribution equipment and wiring devices. |

Woodworking Machinery and Equipment

| | |
|---------|--|
| 33 6200 | Sawing machines (power saws), except sawmills. |
| 33 6300 | Surfacing machines. |
| 33 6400 | Lathes, woodworking, except veneer lathes. |
| 33 6500 | Jointers, matchers, and molders. |
| 33 6600 | Mortisers and tenoners. |
| 33 6800 | Veneer and plywood machinery, including veneer lathes. |

| Standard commodity classification | Metalworking Machinery |
|---|---|
| 34 1000 | Machine tools. |
| | Secondary metal forming and cutting machines and equipment: |
| 34 4111 1 | Bending machines, plate and sheet roll, under 8' capacity, plate thickness under $\frac{3}{8}$ ". |
| 34 4121 1 | Plate and sheet roll levelers, under 8' width capacity, thickness under $\frac{3}{8}$ ". |
| 34 4131 1 | Plate and sheet-press and apron brakes, under and over 7' width capacity, but lighter than 15 gage. |
| 34 4132 1 | |
| 34 4133 1 | |
| 34 4134 1 | |
| 34 4141 1 | Plate and sheet beading rolls, lighter than 15 gage. |
| 34 4145 1 | Plate and sheet combination rolls, up to 15 gage. |
| 34 4145 2 | |
| 34 4149 | Miscellaneous plate or sheet roll forming machines. |
| 34 4200 | Hydraulic presses. |
| 34 4300 | Mechanical presses. |
| 34 4400 | Shearing and punching machines. |
| 34 4500 | Forging machinery. |
| 34 4600 | Wire forming machines. |
| 34 4700 | Manual presses. |
| 34 4900 | Miscellaneous secondary metal forming and cutting machines and equipment. |
| | Welding machinery and equipment: |
| 34 5100 | Electric welding equipment. |
| 34 5200 | Gas-welding machinery and equipment. |
| 34 6000 | Testing and measuring machines. |
| 34 7100 | Heat treating furnaces and devices (including hardening, annealing, tempering, normalizing, cyaniding, carburizing operations). |
| 34 7200 | Electroplating and anodizing equipment. |
| 34 7300 | Assembled fixtures and apparatus. |
| 34 7400 | Riveting machines. |
| 34 7500 | Metal heating furnaces and devices. |
| 34 7600 | Metal spraying equipment. |
| 34 8000 | Portable metalworking machines and tools (power driven). |
| | Tools, attachments and accessories for machine tools and other metal-working machines: |
| 34 9100 | Cutting tools for machine tools. |
| 34 9200 | Cutting and forming tools for metal forming machines. |
| 34 9300 | Attachments and accessories for machine tools. |
| 34 9400 | Tool room specialties. |
| Business Education Equipment | |
| 38 1100 | Punched card, bookkeeping, tabulating and accounting machines and collateral equipment. |
| 38 1200 | Billing machines, accounting principles, and collateral equipment except autographic registers. |
| 38 2100 | Adding machines. |
| 38 2200 | Calculating machines. |
| 38 5000 | Duplicating machines. |
| Communication Equipment and Electronic Devices | |
| 41 1000 | Radio broadcast receiving equipment. |
| 41 2000 | Radio broadcast transmitting apparatus. |
| 41 3000 | Commercial and specialized radio communications equipment, except broadcast. |
| 41 4400 | Object detection apparatus (Radar and Loran). |
| 41 4500 | Radio Goniometer equipment and similar apparatus (direction finders). |
| 41 5000 | Electronic tubes. |
| 41 8000 | Electronic equipment components and subassemblies. |

| Standard commodity classification | Heating Equipment |
|---|---|
| 51 3130 | Boilers, gas fired, 50 hp 600 psi. |
| 51 3831 | Pumps, circulating, $\frac{1}{2}$ gal. per min., motor driven. |
| 51 4660 | Humidifiers, cabinet type. |
| Furniture | |
| 54 3000 | Office furniture. |
| 54 4200 | School furniture. |
| 54 4300 | Auditorium furniture. |
| 54 5100 | Laboratory furniture. |
| 54 8000 | Industrial and factory furniture. |
| Optical Instruments and Apparatus | |
| 56 6000 | Laboratory research and testing instruments and apparatus, optical. |
| 56 7000 | Magnifying instruments. |
| 56 8000 | Optical elements and assemblies. |
| Indicating, Recording, and Controlling Instruments and Accessories | |
| 57 1000 | Temperature and hygrometric instruments and accessories. |
| 57 2000 | Electrical quantity instruments and accessories, except watt-hour meters (57 2600). |
| 57 3000 | Pressure measuring instruments, gauges, and accessories. |
| 57 4000 | Flow and liquid level instruments and accessories, except gas meters, domestic types (57 4400) and water meters, domestic type (57 4500). |
| 57 5000 | Mechanical motion, rotation, timing, and cycle instruments and accessories. |
| 57 7000 | Control valves and regulators, except voltage. |
| 57 9000 | Miscellaneous indicating, recording, and controlling instruments and accessories, except watches and clocks. |
| Professional and Scientific Instruments and Apparatus | |
| 58 4360 | Sterilizers, bacteriology and laboratory. |
| 58 5100 | Chemical laboratory apparatus. |
| 58 5200 | Laboratory testing instruments and apparatus. |
| 58 5500 | Physical chemistry and chemical physics instruments and apparatus. |
| 58 5600 | Physics study apparatus. |
| 58 5700 | Blowers and vacuum pumps, laboratory. |
| 58 5800 | Constant temperature apparatus and devices, laboratory. |
| 58 6000 | Balances and weights, laboratory. |
| Electrical Instruments and Apparatus | |
| 58 8100 | Drawing instruments and drafting machines. |
| 58 8200 | Drafting tools. |
| 58 8300 | Drafting accessories. |
| 58 8400 | Slide rules. |
| 58 8700 | Surveying instruments. |
| 58 9000 | Miscellaneous professional and scientific instruments and apparatus. |
| Glass and Clay Products Laboratory Ware | |
| 77 5000 | Technical and scientific laboratory glassware. |
| 77 6130 | China and porcelain laboratory ware. |
| Equipment for Cafeterias, Kitchens and Dining Rooms | |
| 32 8400 | Kitchen cooking appliances. |
| 32 8500 | Food preparation appliances, household and commercial. |
| 51 6000 | Cooking and warming equipment, commercial, except electric. |
| 52 2000 | Household mechanical refrigerator units (16 cu. ft. or less, self-contained). |
| 52 3200 | Commercial reach-in refrigerators, mechanical. |

| Standard commodity classification | Equipment for Cafeterias, Kitchens and Dining Rooms—Continued |
|-----------------------------------|---|
| 52 8100 | Refrigerators, ice, household. |
| 52 8220 | Ice refrigeration units, reach-in refrigerators. |
| 75 1100 | Cooking and kitchen utensils, household and commercial. |
| 75 1300 | Kitchen tools, except cutlery. |
| 75 4100 | Table and kitchen cutlery, household and institutional. |
| 75 4200 | Food processing cutlery. |

[F. R. Doc. 46-21890; Filed, Dec. 20, 1946; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-224, Revocation]

CLOTHING FOR MEN AND BOYS

Section 3290.130 *General Limitation Order L-224* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board or Civilian Production Administration under the order.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21887; Filed, Dec. 20, 1946; 11:31 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-300, Revocation of Direction 5]

GOVERNMENT HELD STOCKS OF ETHYL ALCOHOL

Direction 5 to Conservation Order M-300 is hereby revoked. This revocation does not affect any liabilities incurred for violation of this direction or of any action taken by the Civilian Production Administration under it. Deliveries of ethyl alcohol by RFC are subject to Priorities Regulation 34 as amended December 17, 1946.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21885; Filed, Dec. 20, 1946; 11:31 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Gen. Preference Order M-21, Direction 13, as Amended Dec. 20, 1946]

PRIORITIES ASSISTANCE FOR MERCHANT PIG IRON

The following amended direction is issued pursuant to General Preference Order M-21:

(a) *What this direction does.* The continued shortage of merchant pig iron, particularly in certain areas, threatens production of railroad brake shoes and certain items critically short for the Veterans' Emergency Housing Program. It is necessary to maintain production of these items at a high level, and at the same time insure that, as far as

possible, this essential demand for merchant pig iron is spread as evenly as possible among furnaces and areas, so that individual foundries are not unfairly affected. This direction no longer provides for assistance in obtaining iron castings. CC ratings may be assigned for iron castings under Priorities Regulation 28, and special help may be given to certain products under Direction 18. This direction provides for the continued allocation of merchant pig iron during the fourth quarter 1946, and the first quarter 1947. This direction is necessary and appropriate in the public interest, to promote the national defense, and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

(b) *Applications for listed products*—(1) *What foundries may apply.* Foundries which make products on Schedule A of this direction, (including those which make components of Schedule A products and are wholly owned and operated by manufacturers of Schedule A products) may apply under this direction for authority to place a "certified order" for merchant pig iron needed to make Schedule A products.

(2) *Authorizations.* The CPA may authorize the placing of certified orders for merchant pig iron required to make products on Schedule A if it determines that such authorization is necessary. Such authorizations will not be granted to increase inventories. Since the supply of merchant pig iron available for these items is limited, and the total impact of the requests cannot be known until all applications are filed, the CPA cannot assure any applicant that he will receive authorization for enough material to meet all his requirements for the item applied for.

(c) *When to file.* Applications should be filed on Form CPA-4504 so as to be received by CPA on or before the 5th day of the month preceding the month in which delivery is requested. For example on January 5th for February. Authorizations will be returned by the 20th, except that authorizations for January will not be returned until about December 26th.

(d) *How to place a certified order.*

(1) A purchase order for merchant pig iron may be certified by furnishing a certification in substantially the following form to the producer, signed as provided in Priorities Regulation 7:

I certify, subject to the penalties of section 35A of the United States Criminal Code, that I am authorized to place this order for merchant pig iron under Direction 13 to Order M-21, Serial No.

(2) *Canadian purchasers of merchant pig iron.* In the case of a Canadian purchaser of merchant pig iron who has been authorized pursuant to application on Form CPA-4504, a purchase order may be certified by furnishing a certification in substantially the following form:

The undersigned purchaser certifies, subject to the penalties of Section 15 of the Canadian Wartime Industries Control Regulations, to the seller, to the Canadian Priorities Officer, and to the Civilian Production Administration, that he is authorized to place this order for merchant iron under the provisions of General Instruction Letter No. 67 and Direction 13 to Order M-21.

(e) *Limitation on use of merchant pig iron obtained on certified orders.* Each foundry must put into production in each month for which it receives authorization not less than the amount of merchant pig iron authorized for that month on Form CPA-4504 to make products on Schedule A.

(f) *Periods for which certified orders may be placed.* Orders may be certified for delivery only in the months specifically authorized on Form CPA-4504.

(g) *Refusal of certified orders for merchant pig iron.* A producer need not accept a certification for merchant pig iron if it is received after the 25th day of the month preceding the month in which delivery is requested, except that January orders must be accepted until January 2d.

(h) *Certified orders must be treated as rated orders.* Certified orders must be scheduled for production in preference to all other orders except for orders covered by specific written directives issued by the Civilian Production Administration. Any purchase order certified under this direction must be treated as a rated order under Priorities Regulation 1 and accepted, scheduled, and delivered accordingly. The rules of Priorities Regulation 1 will apply, except to the extent that this direction is inconsistent with them.

(i) *Equitable distribution to consumers.* Producers and foundries must distribute remaining amounts of merchant pig iron and iron castings in a fair and equitable manner after filling certified and rated orders.

(j) *Reports.* Producers and foundries must furnish such reports as may be required by the Civilian Production Administration from time to time, subject to approval by the Budget Bureau pursuant to the Federal Reports Act of 1942.

(k) *Other assistance to obtain merchant pig iron*—(1) *General.* Preference ratings will not be assigned to the deliveries of merchant pig iron, but instead authorizations to place certified orders, or directives may be granted, as the case requires.

(2) *Authorizations to place certified orders other than as provided in paragraph (b).* Except as provided in paragraph (b), authorizations to place certified orders for merchant pig iron will be granted only in cases of public emergency.

(3) *How to file.* Applications under paragraph (k) (2) should be filed on Form CPA-4504 together with Form CPA-541A (with blocks 7A, 7B, 9, 12, 13, 14, and 16 only filled out). Applications should be filed and will be acted on by the Civilian Production Administration only at the times provided by paragraph (c).

(l) *December carryover not required.* Under Direction 15 to Order M-21 (11 F. R. 14161) it was necessary for the Civilian Production Administration to authorize producers to reduce December deliveries on certified and directed orders. No producer is required to carry over into his January schedule any unfilled balance on orders which were certified for December delivery, or which were covered by a directive issued by the Civilian Production Administration before December 6, 1946.

Issued this 20th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Gray and malleable iron castings required to make the following items:

1. Residential type products:

Cast iron soil pipe and fittings
Cast iron pressure pipe and fittings
Cast iron radiation (tubular and convactor)
Warm air furnaces and floor and wall furnaces
Bath tubs, lavatories, kitchen sinks, and sink and tray combinations as described in paragraph (e) (2) of Direction 18 to Priorities Regulation 28.
Low pressure boilers for residential heating use

Screwed pipe fittings in the following classes:
(a) Gray cast recessed drainage, 2 in. and under
(b) Gray cast steam fittings, 3 in. and under (125 lbs. S. W. P.)
(c) Malleable fittings, including unions, 2 in. and under (150 lbs. S. W. P.)
Builders hardware (same types as Direction 18 to Priorities Regulation 28)
Electrical wiring devices (only the types listed in paragraph (e) (2) of Direction 18 to Priorities Regulation 28)

2. Railroad brake shoes

[F. R. Doc. 46-21888; Filed, Dec. 20, 1946; 11:31 a. m.]

Chapter XI—Office of Temporary Controls, Office of Price Administration

[Rev. SO 44, Amdt. 5]

PART 1305—ADMINISTRATION

EXEMPTION FROM PRICE CONTROL OF ALL COMMODITIES EXCEPT SUGAR AND RICE IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 1305.56 (a) is amended by adding the following supplementary order:

Supplementary Order 193—Exemption From Price Control of All Commodities Except Sugar and Rice.

This amendment shall become effective as of 12:01 a. m., November 10, 1946.

Issued this 20th day of December 1946.

PHILIP B. FLEMING,
Temporary Controls Administrator.

Statement of the Considerations Involved
in the Issuance of Amendment 5 to
Revised Supplementary Order 44

The accompanying amendment makes Supplementary Order 193 applicable to the Territory of Hawaii. Supplementary Order 193 is the overall decontrol order which was issued by the Administrator following the President's directive. The terms of Supplementary Order 44 are such as to require the accompanying action in order to bring the Territory of Hawaii lawfully within the coverage of Supplementary Order 193.

[F. R. Doc. 46-21787; Filed, Dec. 20, 1946; 8:49 a. m.]

[SO 194]

PART 1305—ADMINISTRATION

EXEMPTION FROM PRICE CONTROL OF COM- MODITIES IN VIRGIN ISLANDS

SECTION 1. *Commodities exempt.* (a) Notwithstanding any prior order, sales and deliveries of all commodities (including services) in the Virgin Islands of the United States are exempt from price control.

(b) "Sales and deliveries . . . in the Virgin Islands of the United States" do not include sales from a seller outside the Virgin Islands to a purchaser in the Virgin Islands. Export sales from a seller in the continental United States or in a United States territory or pos-

session to a purchaser in the Virgin Islands shall be governed by the Third Revised Maximum Export Price Regulation or the applicable territorial regulation, as the case may be.

SEC. 2. *Preservation of records.* Records shall be preserved as provided by Supplementary Order 189.

This Supplementary Order No. 194 shall become effective 12:01 a. m. December 23, 1946.

Issued this 20th day of December 1946.

PHILIP B. FLEMING,
Temporary Controls Administrator.

[F. R. Doc. 46-21786; Filed, Dec. 20, 1946;
8:49 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS FROM AND WITHIN OFFICIAL CLASSIFICATION TERRITORY

CROSS REFERENCE: For exceptions to the provisions of § 500.72, see Part 520, *infra*.

[Gen. Permit ODT 1, Rev. 10, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SHIPMENTS FROM OFFICIAL CLASSIFICATION TERRITORY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729; *It is hereby ordered*, That the expiration date provided in General Permit ODT 1, Revised-10 (11 F. R. 12364) be changed to February 28, 1947.

(54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, Pub. Law 475, 79th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641.)

Issued at Washington, D. C., this 18th day of December 1946.

J. M. JOHNSON,
Director

Office of Defense Transportation.

[F. R. Doc. 46-21796; Filed, Dec. 20, 1946;
8:49 a. m.]

[Gen. Permit ODT 1, Rev. 11, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SHIPMENTS WITHIN OFFICIAL CLASSIFICATION TERRITORY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729; *It is hereby or-*

dered, That the expiration date provided in General Permit ODT 1, Revised-11 (11 F. R. 12364) be changed to February 28, 1947.

(54 Stat. 676; 56 Stat. 177; 58 Stat. 827; 59 Stat. 658; 60 Stat. 345; Pub. Law 475, 79th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641.)

Issued at Washington, D. C., this 18th day of December 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-21797; Filed, Dec. 20, 1946;
8:50 a. m.]

Notices

DEPARTMENT OF JUSTICE.

Office of Alien Property.

[Vesting Order 407, Amdt.]

FERD. MULHENS, INC.

Vesting Order 407, dated November 28, 1942, is hereby amended as follows and not otherwise:

By deleting subparagraph 4 of said Vesting Order 407, and substituting therefor the following:

4. Finding that the entire issued and outstanding capital stock of Ferd. Mulhens, Inc., a corporation organized under the laws of the State of New York and a business enterprise within the United States, consisting of 1,000 shares of no par value common stock, and 3,000 shares of \$100 par value preferred stock, is beneficially owned by said Paul Peter Muelhens and is evidence of ownership and control of said business enterprise;

All other provisions of said Vesting Order 407 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

(40 Stat. 411, 50 U. S. C. App. 1; 55 Stat. 839, 50 U. S. C. App. Sup. 616; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 16, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-21815; Filed, Dec. 20, 1946;
8:46 a. m.]

[Vesting Order 7909]

MARK KLEEDEN

In re: Estate of Mark Kleeden, deceased. File D-28-10298; E. T. sec. 14673.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kurt Kleeden, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Mark Kleeden, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Paul F. Showalter, and William C. Noll, as administrators c. t. a., acting under the judicial supervision of the County Court of Oklahoma County, Oklahoma City, Oklahoma;

and it is hereby determined:

4. That the the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 50 U. S. C. App. 1; 55 Stat. 839, 50 U. S. C. App. Sup. 616; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 12, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-21811; Filed, Dec. 20, 1946;
8:46 a. m.]

[Vesting Order 7914]

WILLIAM ARNDT

In re: Estate of William Arndt, deceased, File D-28-11054; E. T. sec. 15478.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Arndt, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of William Arndt, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by John W. Patterson, as administrator, acting under the judicial supervision of the Circuit Court of the State of Oregon;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 50 U. S. C. App. 1; 55 Stat. 839, 50 U. S. C. App. Sup. 616; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 16, 1946;

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-21812; Filed, Dec. 20, 1946; 8:46 a. m.]

[Vesting Order 7915]

HERMAN HOPPE

In re: Estate of Herman Hoppe, deceased; File D-28-10705; E. T. Sec. 15100.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Wilke, Karl Wilke, Fritz Miller, Max Miller, Anna Schroeder and Martha Schroeder, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Herman Hoppe, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

No. 248—3

3. That such property is in the process of administration by Marvin E. Redeker, as Executor, acting under the judicial supervision of the Probate Court of Gasconade County, Morrison, Missouri;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 50 U. S. C. App. 1; 55 Stat. 839, 50 U. S. C. App. Sup. 616; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 16, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-21813; Filed, Dec. 20, 1946; 8:46 a. m.]

[Vesting Order 7918]

RUTH O. PAMPEL

In re: Stocks owned by Ruth O. Pampel, also known as Ruth Pampel; F-28-22869-D-1, F-28-22869-D-2, F-28-22869-D-3.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ruth O. Pampel, also known as Ruth Pampel, whose last known address is Weisenhausstrasse 3, Freiberg, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Ten (10) shares of no par value capital stock of California Packing Corporation, 101 California Street, San Francisco, California, a corporation organized under the laws of the State of New York, evidenced by certificate number 056473, registered in the name of Ruth Pampel, together with all declared and unpaid dividends thereon,

b. Fifteen (15) shares of no par value common capital stock of The Ohio Oil Company, 539 South Main Street, Findlay, Ohio, a corporation organized under

the laws of the State of Ohio, evidenced by certificate number NYL-31143, registered in the name of Mrs. Ruth O. Pampel, together with all declared and unpaid dividends thereon, and

c. One hundred twenty-four (124) shares of \$1 par value common capital stock of Remington Rand, Inc., 465 Washington Street, Buffalo, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered 54110 for one hundred shares, 26616 for one share, 88903 for one share, 33612 for one share, 153326 for ten shares, 76578 for one share, 188267 for five shares and 212841 for five shares, registered in the name of Ruth O. Pampel, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 50 U. S. C. App. 1; 55 Stat. 839, 50 U. S. C. App. Sup. 616; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 16, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-21814; Filed, Dec. 20, 1946; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR.

Geological Survey.

WILLAMETTE RIVER AND TRIBUTARIES, OREGON

POWER SITE CLASSIFICATION NO. 379

MAY 20, 1946.

THE SECRETARY OF THE INTERIOR.

Sir: Under authority vested in me by the Act of March 3, 1879 (20 Stat. 394;

43 U. S. C. 21), the following described land is hereby classified as power sites and, in so far as title thereto remains in the United States and subject to valid existing rights, it is recommended that this classification be given full force and effect under the provisions of section 24 of the act of June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (41 Stat. 1075, 49 Stat. 846; 16 U. S. C. sec. 818):

POWER SITE CLASSIFICATION No. 379

WILLAMETTE RIVER AND TRIBUTARIES, OREGON

Willamette Meridian

- T. 18 S., R. 2 W.,
Sec. 10, lot 4;
Sec. 15, lots 2 and 3;
Sec. 36, lots 1, 2, 3, and 4.
- T. 19 S., R. 1 E.,
Sec. 7, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and fractional NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 18, fractional NW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 20 S., R. 1 E.,
Sec. 1, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, fractional N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 4, lot 1;
Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 20 S., R. 2 E.,
Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 18, lots 14, 18, 19, and 22;
Sec. 19, lot 1, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 36, lots 1, 2, 3, and 5.
- T. 21 S., R. 2 E.,
Sec. 2, lot 4, fractional NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 14, lots 1, 2, and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 20 S., R. 3 E.,
Sec. 28, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 21 S., R. 3 E.,
Sec. 5, lot 3;
Sec. 18, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, lots 2, 3, 4, and 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 26, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 22 S., R. 3 E.,
Sec. 2, lots 2, and 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, lot 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 14, lot 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 23 S., R. 3 E.,
Sec. 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 10, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 24 S., R. 4 E.,
Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$;
Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 17, S $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 18, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 6,164.27 acres.

W. E. WRATHER,
Director.

Approved: December 9, 1946.

C. GIRARD DAVIDSON,
Assistant Secretary.

[F. R. Doc. 46-21779; Filed, Dec. 20, 1946;
8:51 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Regulations, Part 522—Regulations Applicable to the Employment of Learners.

Imprenta Rosado, 40 Celis Aguilera Street, Manati, Puerto Rico; Printing; one (1) learner as linotypist at not less than 16 cents an hour for the first 690 hours, not less than 21 cents an hour for the second 690 hours, not less than 26 cents an hour for the third 690 hours, and for every hour thereafter not less than the minimum established by any applicable wage order that may be in effect at the termination of the learning period; and one (1) learner as pressman at not less than 16 cents an hour for the first 460 hours, not less than 21 cents an hour for the second 460 hours, not less than 26 cents an hour for the third 460 hours, and for every hour thereafter not less than the minimum established by any applicable wage order that may be in effect at the termination of the learning period; effective November 25, 1946, expiring November 24, 1947.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employ-

ment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 12th day of December 1946.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 46-21767; Filed, Dec. 20, 1946;
8:54 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-812]

UNITED FUEL GAS CO.

NOTICE OF APPLICATION

DECEMBER 17, 1946.

Notice is hereby given that on November 13, 1946, United Fuel Gas Company, a West Virginia corporation, with its principal place of business at Charleston, West Virginia, filed with the Federal Power Commission an application under section 8 of the Natural Gas Act and under the Uniform System of Accounts Prescribed for Natural Gas Companies, for authority to reclassify and adjust its Depreciation, Depletion and Amortization Reserves as of December 31, 1945, in accordance with a study made thereof.

Applicant states the study discloses that such existing reserves are overstated in the amount of \$8,755,944.50 and proposes to reclassify this amount to Earned Surplus. Beginning as of January 1, 1946, applicant's annual reserve accruals will be upon the basis used in the above study subject to modification that may be required or desired.

Any person desiring to be heard or to make any protest with reference to the application of United Fuel Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of the publication of this notice in the FEDERAL REGISTER, petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21798; Filed, Dec. 20, 1946;
8:50 a. m.]

[Docket No. G-813]

HUNTINGTON DEVELOPMENT AND GAS CO.

NOTICE OF APPLICATION

DECEMBER 17, 1946.

Notice is hereby given that on November 13, 1946, Huntington Development and Gas Company, a Delaware corporation with its principal place of business at Charleston, West Virginia, filed with the Federal Power Commission an application under section 8 of the Natural Gas Act and under the Uniform System of Ac-

counts Prescribed for Natural Gas Companies, for authority to reclassify and adjust its Depreciation, Depletion and Amortization Reserves as of December 31, 1945, in accordance with a study made thereof.

Applicant states that the study discloses that such existing reserves are understated in the amount of \$127,908.21 and proposes to charge this deficiency in its reserves to Earned Surplus. Beginning as of January 1, 1946, applicant's annual reserve accruals will be upon the basis used in the above study subject to modification that may be required or desired.

Any person desiring to be heard or to make any protest with reference to the application of Huntington Development and Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of the publication of this notice in the FEDERAL REGISTER, petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21799; Filed, Dec. 20, 1946;
8:50 a. m.]

[Docket No. G-774]

PHEBUS PIPE LINE CO.

ORDER FIXING DATE OF HEARING

DECEMBER 17, 1946.

Upon consideration of the application filed September 5, 1946, by Phebus Pipe Line Company ("Applicant"), an Illinois corporation having its principal office in the City of Chicago, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to acquire and operate the following natural-gas pipe-line facilities subject to the jurisdiction of the Federal Power Commission:

A 6-inch natural-gas pipe-line approximately 8 miles in length, together with all necessary appurtenances, extending from a point in the so-called Russellville gas field, in Lawrence County, Illinois, in a southeasterly direction, to a point near Vincennes, Indiana, where it connects with the facilities of the Hoosier Gas Corporation ("Hoosier");

and

It appearing to the Commission that:

(a) Applicant proposes to acquire the aforescribed facilities from Ray Phebus, an individual, who heretofore has been authorized by the Commission to operate said facilities to transport and sell natural-gas produced from acreage in the Russellville gas field, Lawrence County, Illinois to Hoosier for resale by the latter for ultimate public consumption in the Cities of Vincennes, Washington, and Princeton, Indiana; and

(b) It may be in the public interest to issue a certificate of public convenience and necessity for the acquisition and operation of the facilities as requested in the application subject, however, to a showing by Applicant that the acquisition of the facilities by Applicant from said Ray Phebus, and the future opera-

tion thereof, is or will be required by the public convenience and necessity;

The Commission, therefore, orders that:

(A) A public hearing be held commencing on December 30, 1946, at 2:00 p. m. (EST), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding: *Provided, however*, That if no protest or petition to intervene has been filed or allowed prior to the date hereinbefore fixed for hearing, or if a protest or a petition to intervene, in the judgment of the Commission, raises no issue of substance, the Commission may dispose of the application by order upon the application and evidence filed or available to the Commission together with such additional evidence to be submitted by Applicant to show that the public convenience and necessity require the acquisition of the facilities in the manner proposed.

(B) Interested State Commissions may participate in this hearing, as provided by the Commission's rules of practice and procedure.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21803; Filed, Dec. 20, 1946;
8:50 a. m.]

[Docket No. G-814]

WARFIELD NATURAL GAS CO.

NOTICE OF APPLICATION

DECEMBER 17, 1946.

Notice is hereby given that on November 13, 1946, Warfield Natural Gas Company, a Kentucky corporation with its principal place of business at Charleston, West Virginia, filed with the Federal Power Commission an application under section 8 of the Natural Gas Act and under the Uniform System of Accounts Prescribed for Natural Gas Companies for authority to classify and adjust its Depreciation, Depletion and Amortization Reserves as of December 31, 1945, in accordance with a study made thereof.

Applicant states that the study discloses that such existing reserves are overstated in the amount of \$1,172,426.01 and proposes to reclassify this amount to Earned Surplus. Beginning as of January 1, 1946, applicant's annual reserve accruals will be upon the basis used in the above study subject to modification that may be required or desired.

Any person desiring to be heard or to make any protest with reference to the application of Warfield Natural Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of the publication of this notice in the FEDERAL REGISTER, petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21800; Filed, Dec. 20, 1946;
8:50 a. m.]

[Docket No. G-815]

CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE OF APPLICATION

DECEMBER 17, 1946.

Notice is hereby given that on November 13, 1946, Central Kentucky Natural Gas Company, a Kentucky corporation with its principal place of business at Charleston, West Virginia, filed with the Federal Power Commission an application under section 8 of the Natural Gas Act and under the Uniform System of Accounts Prescribed for Natural Gas Companies, for authority to reclassify and adjust its depreciation reserves as of December 31, 1945, in accordance with a study made thereof.

Applicant states that the study discloses that such existing reserves are overstated in the amount of \$367,884.53 and proposes to reclassify this amount to Earned Surplus. The basis used in the above study according to applicant is a practical method for determining annual depreciation rates.

Any person desiring to be heard or to make any protest with reference to the application of Central Kentucky Natural Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of the publication of this notice in the FEDERAL REGISTER, petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21801; Filed, Dec. 20, 1946;
8:50 a. m.]

[Docket No. G-816]

CINCINNATI GAS TRANSPORTATION CO.

NOTICE OF APPLICATION

DECEMBER 17, 1946.

Notice is hereby given that on November 13, 1946, Cincinnati Gas Transportation Company, a West Virginia Corporation with its principal place of business at Charleston, West Virginia, filed with the Federal Power Commission an application under section 8 of the Natural Gas Act and under the Uniform System of Accounts Prescribed for Natural Gas Companies, for authority to reclassify and adjust its depreciation reserves as of December 31, 1945, in accordance with a study made thereof.

Applicant states that the study discloses that the existing reserves are overstated in the amount of \$537,233.16 and proposes to reclassify this amount to Earned Surplus. Beginning as of January 1, 1946, applicant's annual reserve accruals will be upon the basis used in the above study subject to modification that may be required or desired.

Any person desiring to be heard or to make any protest with reference to the application of Cincinnati Gas Transportation Company should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of the publication of this notice in the FEDERAL REGISTER, petition or protest

in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21802; Filed, Dec. 20, 1946;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 656]

UNLOADING OF STEEL RAILS AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1946.

It appearing, that 4 cars containing steel rail at New Orleans, La., on the New Orleans and Northeastern Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

(a) *Steel rail at New Orleans, La., be unloaded.* The New Orleans and Northeastern Railroad Company, its agents or employees, shall unload immediately the following cars containing steel rail on hand at New Orleans, La., consigned to Marine Forwarding & Shipping Co.:

| | |
|------------|------------|
| IC 98148 | PRR 323737 |
| P&LE 45148 | PRR 315631 |

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 A. M., December 19, 1946, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101; sec. 4, 41 Stat. 476; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-21807; Filed, Dec. 20, 1946;
8:47 a. m.]

[S. O. 657]

UNLOADING OF EXPORT CARS AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1946.

It appearing, that 3 cars containing various commodities at New Orleans, Louisiana, on the Illinois Central Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

(a) *Export Cars at New Orleans, La., be unloaded.* The Illinois Central Railroad Company, its agents or employees, shall unload immediately the following cars on hand at New Orleans, Louisiana, consigned for export:

Initial and Number, Contents, and Consignee
B&O 256474; Grading and roadmaking implements; Marine Forwarding & Shipping Co.
PRR 276375; Crusher machinery; Marine Forwarding & Shipping Co.
L&N 26317; Turret lathe; Order notify Banco Yucatan in care of Raymond Shipping Co.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., December 19, 1946, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the

office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-21808; Filed, Dec. 20, 1946;
8:48 a. m.]

[S. O. 658]

UNLOADING OF FLOUR AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of December A. D. 1946.

It appearing, that 2 cars containing flour at New Orleans, La., on the Louisiana & Arkansas Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

(a) *Flour at New Orleans, La., be unloaded.* The Louisiana & Arkansas Railway Company, its agents or employees shall unload immediately the following cars containing flour on hand at New Orleans, La., consigned to Marine Forwarding & Shipping Company:

| | |
|------------|-----------|
| NYC 122763 | B&A 50313 |
|------------|-----------|

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., December 19, 1946, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by

filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, Sec. 4, 41 Stat. 476, 54 Stat. 901, 911; 49 U. S. C., (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-21809; Filed, Dec. 20, 1946;
8:48 a. m.]

OFFICE OF TEMPORARY CONTROLS.

Civilian Production Administration.

[C-466]

STANDARD FLOORING CORP.

CONSENT ORDER

Standard Flooring Corporation, a New York Corporation with its principal office and place of business at 188-19 Jamaica Avenue, Hollis, Queens, New York, is engaged in business as a subcontractor for hardwood floors. It is charged by the Civilian Production Administration with violating Priorities Regulations 1 (11 F. R. 8002), 3 (11 F. R. 8008), 33 (11 F. R. 14323), during the period February 1 to May 31, 1946, in having placed rated orders and used a preference rating to get more than the minimum quantities of hardwood flooring needed for the projects on which it was entitled to use the rating, in having used hardwood flooring obtained by using the preference rating for other purposes than the construction of such projects, in having used the preference rating without having received the required statements from the builders of such projects, and in having failed to keep and preserve accurate and complete records of the details of its transactions and its inventories of the material to which the rules, regulations, and orders of the Civilian Production Administration relate. Standard Flooring Corporation admits the violations as charged, except that it does not admit having placed rated orders and having used a preference rating to get more than the minimum quantities of hardwood flooring needed for the projects on which it was entitled to use the rating, and having used hardwood flooring obtained by using the preference rating for other purposes than the construction of such projects, does not desire to contest the same, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Standard Flooring Corporation, the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) For a period of two months from the effective date of this order, Standard Flooring Corporation, its successors and assigns, shall not apply or extend any preference ratings, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, except as provided in paragraph (b) hereof.

(b) The provisions of the foregoing paragraph of this order shall not apply to

the following projects which have been approved and authorized to use preference ratings under the Veterans' Emergency Housing Program and on which Standard Flooring Corporation has been retained as hardwood flooring subcontractor; namely, those with the builder and the location indicated and the project serial number stated as follows: (1) Gross-Martin, at 197th Street and Union Turnpike, Queens, New York, numbers 66-012-00979, -00980, -00981, -00982, -02008, -01379, -00375, -00376, -00377, -00378; (2) Stewart Construction Corp., at 4th, 5th, 6th Streets and Nassau Blvd., Garden City Park, Long Island, New York, numbers 66-012-00924, -00925, -00926, -00927; (3) Progressive Homes, Inc., at 70th Ave. and Main Street, Flushing, Queens, New York, numbers 66-012-01151; (4) Mercury Homes, at Union Turnpike and 250th Street, Queens, New York, number 66-012-00380; (5) Moss Development Corporation, at East Meadows, Long Island, New York, number 66-012-00879; (6) Bishop Construction Corporation, at Center, Main and East Street, Hicksville, Long Island, New York, number 66-012-02190; (7) Beacon Development Corporation, at Park West, New Hyde Park, Long Island, New York, number 66-012-00475; (8) Boulevard Development Corporation, at Cross Island Blvd. and 111th Road and 112th Avenue, St. Albans, Queens, New York, number 66-012-00417; (9) Newbridge Realty Corporation, at Newbridge and Prospect Avenue, East Meadow, Long Island, New York, number 66-012-00295; (10) Lake Success Hills, Inc., at Horace Harding Boulevard, Great Neck, Long Island, New York, number 66-012-00256.

(c) If for any reason there is or shall be left and unused any hardwood flooring which was ordered by Standard Flooring Corporation, its successors or assigns, for any project with an approved serial number and obtained by use of a preference rating, then Standard Flooring Corporation, its successors and assigns, may use such hardwood flooring for any other approved project authorized to use preference ratings under the Veterans' Emergency Housing Program; and if it does so it shall not certify or apply or extend any preference rating to a lumber or flooring supplier of any kind for the said hardwood flooring so used.

(d) Standard Flooring Corporation, its successors and assigns, shall keep and preserve accurate and complete records of the details of each transaction to which Priorities Regulation 33, its schedules and directions, Limitation Order L-359 (11 F. R. 12287), and other rules, regulations, and orders of the Civilian Production Administration and the National Housing Agency apply, and of its inventories of the material involved, all as required by § 944.15 of Priorities Regulations 1.

(e) Nothing contained in this order shall be deemed to relieve Standard Flooring Corporation, its successors or assigns, from any restriction, prohibition, or provision contained in any order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on the date of its issuance.

Issued this 19th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21862; Filed, Dec. 19, 1946;
4:34 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1405]

CITIES SERVICE CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of December A. D., 1946.

In the matter of Cities Service Company. The Gas Service Company. Kansas City Gas Company. The Wyandotte County Gas Company, File No. 70-1405.

Notice is hereby given that applications and declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Cities Service Company ("Cities"), a registered holding company, and its public utility subsidiaries, The Gas Service Company ("Gas Service"), Kansas City Gas Company ("Kansas City") and The Wyandotte County Gas Company ("Wyandotte"). Applicants-declarants designate sections 6 (a), 7, 9 (a), 10, 12 (c) and 12 (f) and Rules U-42 and U-43, together with the exemptive provisions of section 9 (b) (1) and Rules U-42 (b) (2) and U-50 (a) (2), as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 27, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said applications and declarations which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 27, 1946 said applications and declarations, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said applications and declarations which are on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

It is proposed to merge Kansas City and Wyandotte into Gas Service, which will be the surviving company. Gas

Service will create a total authorized capitalization of 850,000 shares of \$10 par value common stock, all of which will be issued to Cities, the owner of all of the capital stock of the constituent companies (except directors' qualifying shares), as follows: (a) \$5,764,457.38 par value thereof will be issued through reclassification and conversion of the presently outstanding capital stock of the constituent corporations, (b) \$2,506,850 par value thereof will be issued for cash, and (c) \$228,692.62 par value thereof will be issued in capitalization of a like amount of capital surplus of Gas Service.

Gas Service will borrow \$16,000,000 from four banks and one insurance company and issue therefor its notes due serially in amounts of \$1,100,000 annually beginning April 1, 1948 with a final maturity of \$6,100,000 due December 1, 1956. Such notes will bear interest at the rate of 2½% per annum for the first seven maturities, 2¾% per annum for the next two maturities and 3% per annum for the final maturity.

The proceeds from the sale of the common stock to be issued for cash and from the issue of notes, aggregating \$18,506,850, will be used to retire or redeem the remaining outstanding securities, consisting of bonds and notes of the constituent corporations, for \$16,708,303, the redemption price thereof. Of this amount, Cities, as the owner of \$1,548,000 principal amount of First Mortgage Bonds of Wyandotte and \$6,831,928 face amount of 6% Demand Notes of Gas Service, will receive \$8,379,928. The balance of the debt securities in the principal amount of \$8,250,000 are owned by private institutions. The net proceeds remaining after retirement of debt securities and payment of expenses will be added to the general funds of Gas Service for general corporate purposes.

The applications and declarations state that the acquisition by Gas Service, a Delaware corporation, of the assets of Kansas City, a Missouri corporation owning and operating utility assets in the State of Missouri, and Wyandotte, a Kansas corporation owning and operating utility assets in the State of Kansas, will be expressly authorized by the State Commissions of the States of Missouri and Kansas, respectively.

It is further stated that the applications and declarations herein do not constitute requests for modification of presently outstanding orders, issued by Commission under section 11 (b) (1), regarding the retainability by Cities of its interests in the subject companies and that it is not intended that the approval of such applications and declarations will result in any modification of such orders.

Applicants-declarants request that the Commission's order with respect to the proposed transactions be entered as soon as practicable and become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21792; Filed, Dec. 20, 1946;
8:52 a. m.]

[File No. 70-1406]

INTERSTATE POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of December A. D. 1946.

Interstate Power Company ("Interstate"), a registered holding company and a public utility subsidiary of Ogden Corporation, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 with respect to the transactions summarized below:

Interstate proposes to sell to the Rosebud Electric Association, Inc., Clay-Union Electric Corporation, McCook Electric Association, Inc., Sioux Valley Empire Electric Association, Incorporated, and Turner-Hutchinson Electric Association, Inc., Interstate's electric generating and distributing properties and property rights, located west of Sioux Falls, South Dakota, and known as Interstate's "South Dakota properties", together with certain other assets pertinent thereto, for a base cash price of \$950,000, subject to certain adjustments. In addition, Interstate proposes to sell to the purchasers certain current assets relating to said properties for an amount to be determined upon the consummation of the transactions. It is represented that each of the five purchasers is a rural co-operative organized in the State of South Dakota, and it appears from the filing that the acquisition of said properties by the purchasers will be financed through the Rural Electrification Administration. The physical properties proposed to be sold serve various communities located in the Counties of Minnehaha, McCook, Lake, Hauson, Turner, Clay, Yankton, Gregory, and Tripp, South Dakota. The aforesaid properties are pledged under the indenture securing Interstate's 5% First Mortgage Bonds, due 1956. The proceeds of the sale will be deposited with the trustee for said bonds in consideration of the release of said properties, and will be added to Interstate's working capital as soon as the proceeds can be withdrawn from under the lien in accordance with the terms of the indenture.

Said declaration having been filed on November 26, 1946, and notice of said filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Interstate having requested that the Commission take appropriate action to accelerate its order herein and that said order become effective forthwith, and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and the rules thereunder are satis-

fied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21789; Filed, Dec. 20, 1946;
8:52 a. m.]

[File No. 70-1400]

SIoux CITY SERVICE CO. AND SIoux CITY GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 16th day of December A. D. 1946.

Sioux City Gas and Electric Company (Sioux City), a registered holding company, and Sioux City Service Company (Service), its wholly-owned subsidiary, having filed a joint application-declaration pursuant to the provisions of sections 9 (a), 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-23, U-40 (b), U-42, U-43, U-44 and U-46 promulgated thereunder regarding the liquidation and dissolution of Service and the distribution of its assets, consisting of cash in the amount of approximately \$495,000 and 82 shares of common stock of Penn-Western Service Corporation, to Sioux City; and

Notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions satisfy the requirements of sections 9 (a), 10, 12 (c), 12 (d) and 12 (f) of the act and the applicable rules and regulations thereunder, and that it is appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective;

Applicants-declarants having requested that the Commission's order be issued herein by December 16, 1946 and become effective forthwith so that Service may dissolve prior to December 31, 1946 and thereby avoid liability for taxes and other expenses for the ensuing year, and the Commission deeming it appropriate to grant such request:

It is hereby ordered, Effective forthwith, pursuant to Rule U-23 and the applicable provisions of said Act, that said

application-declaration be, and the same hereby is, granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21795; Filed, Dec. 20, 1946;
8:51 a. m.]

[File No. 43-185]

**NORTH DAKOTA POWER AND LIGHT CO. ET AL.
ORDER RELEASING JURISDICTION OVER FEES**

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of December A. D. 1946.

In the matter of North Dakota Power & Light Company, Northern Power and Light Company, and United Public Utilities Corporation, File No. 43-185.

United Public Utilities Corporation ("UPU"), a registered holding company, and Northern Power and Light Company ("Northern Power") and North Dakota Power & Light Company ("North Dakota"), subsidiaries of UPU, having filed applications and a declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 regarding various transactions in connection with the merger of Northern Power into North Dakota as the surviving company, subsequently, by change of name, Dakota Public Service Company ("Dakota Public");

The Commission having, by order dated May 26, 1939, granted said applications, as amended, and permitted said declaration, as amended, to become effective, and said order having, among other things, reserved jurisdiction with respect to the payment of legal fees for services of Evans, Bayard & Frick and of North Dakota counsel and for additional services of South Dakota counsel, pending completion of the record with respect thereto;

The record having been completed on October 18, 1946 as to such fees with respect to amounts and statements of counsel describing the services rendered to Dakota Public and UPU by Evans, Bayard & Frick and to North Dakota by North Dakota counsel, Martens & Goldsmith, and the additional services rendered to Dakota Public by South Dakota counsel, O'Hare, Cox & Cox, the amount of such fees being as follows:

| | |
|----------------------------|----------|
| Evans, Bayard & Frick..... | \$10,000 |
| Martens & Goldsmith..... | 600 |
| O'Hare, Cox & Cox..... | 540 |

Evans, Bayard & Frick having proposed to allocate its fees in the amount of \$10,000 on the basis of two-thirds thereof or \$6,400 to Dakota Public and one-third thereof or \$3,600 to UPU;

It appearing to the Commission that such fees and the allocation thereof are not unreasonable and that jurisdiction over such matters should be released:

It is ordered, That the jurisdiction heretofore reserved over the fees of Evans, Bayard & Frick and of North Dakota counsel, Martens & Goldsmith, and South Dakota counsel, O'Hare, Cox

& Cox, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21793; Filed, Dec. 20, 1946;
8:52 a. m.]

[File No. 1-2427]

REPUBLIC OF CUBA

NOTICE AND ORDER OF HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of December A. D. 1946.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from listing and registration the Public Works 5½% Sinking Fund Gold Bonds, due June 30, 1945, of the Republic of Cuba. The application alleges (1) that only \$198,000 principal amount of this security remains outstanding, as \$39,802,000 principal amount has been deposited for exchange into another security offered by the issuer for the purpose of this exchange; (2) that the outstanding amount of this security has been so reduced as to make further dealings therein on the Exchange inadvisable; and (3) that the rules of the New York Stock Exchange with respect to the striking of a security from listing and registration have been complied with.

The Commission deems it necessary for the protection of investors that a hearing be held in this matter to afford interested persons an opportunity to be heard with respect to the allegations in the application and the terms, if any, which should be imposed for the protection of investors in granting the application.

Therefore it is ordered, That a public hearing be held before Willis E. Monty as hearing officer at 10:00 a. m. on Wednesday, January 8, 1947, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21790; Filed, Dec. 20, 1946;
8:52 a. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO. ET AL.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 16th day of December A. D. 1946.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light &

Traction Company, Continental Gas & Electric Corporation, United American Company, Iowa-Nebraska Light and Power Company, Respondents, File No. 59-17; The United Light and Power Company and its subsidiary companies, Respondents, File No. 59-11; The United Light and Power Company, Applicant, File No. 54-25, Application No. 25.

The Commission having by its order dated November 28, 1945 permitted to become effective an application filed by The United Light and Railways Company ("Railways") and its subsidiary, Continental Gas & Electric Corporation ("Continental"), both registered holding companies, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, regarding, among other things, the issue and sale to banks by Railways of \$25,000,000 principal amount of promissory notes and the issue and sale to banks by Continental of \$50,000,000 principal amount of promissory notes and the issuance by Continental of 417,971 shares of common stock to Railways, of which 192,328 shares were in exchange for 77,317 shares of 7% prior preference stock of Continental held by Railways and 225,643 shares were issued to Railways for \$9,025,714; and the Commission having in said order reserved jurisdiction over all fees and expenses of Railways and Continental in connection with said transactions; and

A supplemental application having been filed providing information with respect to the fees and expenses of Railways and Continental in connection with the aforesaid transactions showing a detailed statement and the proposed allocation of such fees and expenses totalling \$116,275 as follows:

| | Total | Railways | Continental |
|---|----------|----------|-------------|
| Legal fees and expenses: Sidley, Austin, Burgess & Harper: Services..... | \$15,000 | | |
| Expenses..... | 343 | | |
| Cahill, Gordon, Zachry & Reindel Services..... | 2,500 | | |
| | 17,843 | \$8,171 | \$9,672 |
| Services and expenses of intervenor: The Cleveland Trust Co. Fidelity-Philadelphia Trust Co.: Services..... | 3,000 | | |
| Expenses..... | 5,000 | | |
| Morgan, Lewis & Bockius: Services..... | 85 | | |
| Expenses..... | 6,500 | | |
| | 14,698 | 7,349 | 7,349 |
| Services and expenses of fiscal agents: Printing..... | 47,336 | 12,914 | 34,422 |
| Publication of notices..... | 21,730 | 11,439 | 10,291 |
| Miscellaneous..... | 8,349 | 3,308 | 5,041 |
| | 6,319 | 3,787 | 2,532 |
| Total..... | 116,275 | 46,968 | 69,307 |

It appearing to the Commission that such fees and the proposed allocation thereof as between Railways and Continental are not unreasonable and that jurisdiction over them should now be released:

It is hereby ordered, That jurisdiction heretofore reserved over the fees and expenses of Railways and Continental and the allocation thereof in connection with

the said transactions be, and the same is hereby, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21794; Filed, Dec. 20, 1946;
8:52 a. m.]

[File No. 70-1388]

SOUTHERN NATURAL GAS CO. AND
BIRMINGHAM GAS CO.

ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of December A. D. 1946.

Southern Natural Gas Company ("Southern"), a registered holding company and a subsidiary of Federal Water and Gas Corporation, also a registered holding company, and Birmingham Gas Company ("Birmingham"), a gas utility company and a subsidiary of Southern, having filed a joint application-declaration and amendments thereto, pursuant to sections 6 (b), 9 (a) and 10 of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder with respect to the following transactions:

Birmingham proposes to issue and sell 45,509 additional shares of its common stock having a par value of \$2 per share. Such shares would be offered (in the ratio of one-fifth share for each share held of record) for subscription pro rata by the stockholders of Birmingham at the price of \$8 per share. Transferable warrants expiring 30 days after their issue and evidencing such right to subscribe for the additional shares would be issued to all present holders of Birmingham's common stock. Warrants in respect of fractions of a share would be issued entitling the holder, upon surrender thereof and of other warrants together aggregating one or more full shares, to subscribe to the number of full shares which such warrants shall together aggregate, but no subscription would be accepted for fractional shares.

The proceeds from the sale of the additional shares of Birmingham's common stock would be used for construction of additions and extensions to its properties.

Birmingham proposes to solicit proxies from its stockholders for the purpose of voting upon an increase in its authorized common stock and requests that this joint application-declaration, as

amended, be regarded as a declaration under Rule U-62 of the general rules and regulations promulgated under the act.

Southern proposes to make an offer to purchase all or any part of the outstanding minority interest in the common stock of Birmingham. Southern proposes to purchase 665 shares of Birmingham's common stock from C. van den Berg, Jr., a director of Southern, at his cost of \$9.50 per share. Southern proposes to make an offer to purchase all or any part of the remaining shares of Birmingham's outstanding common stock at the price of \$10.40 per share prior to the issue of the subscription warrants and \$10.00 per share after the issue of such warrants. This offer would be made at the time Birmingham advises its stockholders of the proposed sale of additional common stock and would expire in 60 days thereafter. At Southern's option, such offer may be extended for a further period or periods not exceeding 60 days in the aggregate.

Southern proposes to exercise its pro rata portion of the subscription warrants of Birmingham and to offer to purchase all or any part of the subscription warrants to be issued to the minority stockholders of Birmingham's common stock at the price of \$0.40 for the rights issued in respect to each share, or \$2.00 for a warrant to subscribe for one full share. This offer to purchase subscription warrants from the owners or holders thereof would continue for one year from the date of such offer, although the right to subscribe evidenced by the warrants would expire 30 days after their issuance. In addition Southern proposes to purchase within 10 days after the expiration of such warrants, a number of shares equal to the number of shares proposed to be issued by Birmingham and not otherwise subscribed for.

Southern further proposes, subsequent to the expiration of said offers to purchase shares of the common stock of Birmingham, to purchase additional shares of such common stock from time to time prior to July 1, 1947. Such purchases would be made from brokers in the open market at prices current at the time of purchase, or direct from stockholders at prices approximately equal to quotations in the over-the-counter market at the time of purchase; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein, and deeming it appropriate to grant the request of the applicants-declarants that the Commission's order herein becomes effective forthwith;

It is ordered, Effective forthwith, that the said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective, subject to the terms and conditions provided in Rule U-24 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21788; Filed, Dec. 20, 1946;
8:52 a. m.]

[File No. 70-1242]

ILLINOIS POWER CO.

ORDER RELEASING JURISDICTION OVER LEGAL AND AUDITING FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of December 1946.

A declaration in the above-captioned matter regarding the issue and sale by Illinois Power Company of \$45,000,000 principal amount of first mortgage bonds and \$9,000,000 principal amount of sinking fund debentures having been permitted to become effective by the Commission by order dated April 18, 1946, subject to certain terms and conditions, among which was a reservation of jurisdiction over legal and auditing fees and expenses proposed to be paid in connection with the aforementioned security issues; and

Illinois Power Company having requested the Commission to release jurisdiction over certain legal and auditing fees and having furnished a statement of the nature of the services rendered and the amounts to be paid therefor, which amounts are as follows:

Pam, Hurd & Reichmann, \$25,000; Anderson, Gilbert, Wolfert, Allen & Bierman, \$1,750; Price, Waterhouse & Co., \$6,500; and Donovan, Leisure, Newton, Lumbard & Irvine (counsel for underwriters), \$15,000; and

It appearing to the Commission that the foregoing fees under the circumstances of this proceeding, are not unreasonable;

It is hereby ordered, That jurisdiction over the payment of the above-described legal and auditing fees be, and it hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21791; Filed, Dec. 20, 1946;
8:52 a. m.]